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PUBLIC ADMINISTRATION

VOL. IV. No. 2.



April, 1926.

The Journal of the Institute of Public Administration

CONTENTS INCLUDE

The Official and his Authority, *by I. G. Gibbon, C.B.E., D.Sc.*

The Relations between State Departments and the Nation,
by H. H. Ellis.

(The Haldane Prize Essay 1925.)

The Masters of Balliol, *by Sir A. W. Lawrence, Bt.*

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by Sir Edward Troup, K.C.B., K.C.V.O.

The Legal Departments of the Crown,
by Sir Alfred H. Dennis, K.B.E., C.B.

London One Hundred Years Hence, *by G. Topham Forrest, F.R.I.B.A.*

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The Journal of the Institute of Public Administration,
Palace Chambers, Bridge Street, S.W.1.

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Palace Chambers, Bridge Street, Westminster, S.W.1.

Books for Review should be addressed to the EDITOR.

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ERRATA

Vol. IV. No. 1. Page 34, line 20, for "it is not a very good thing" read
"is it not a very good thing?"

The Official and his Authority

By I. G. GIBBON, C.B.E., D.Sc.

[Read before the Birmingham Regional Group of the Institute of Public Administration on 17th February, 1926]

IN public affairs this country is among the most fortunate, chiefly because its institutions have grown gradually, have been extended and improved here and there as practical necessity demanded, with the result that, though they may be strange almost beyond comprehension, they stand the supreme test, they work. Largely because of this piecemeal development, the institutions have behind them that mental outlook, that standard of morale, which is needed for their support and successful operation, institutions and mentality plodding hand in hand. The caution which has kept us to one step at a time has saved us from many a fall.

This advantage, however, is not without drawbacks. There are all manner of loose ends in our organization. Institutions function half instinctively, and traditional practice largely prevails. Much waste would be avoided if more thought were devoted to them, and if, while retaining the advantages of continuous adaptation, endeavour were made from time to time to obtain more systematic arrangements.

During the last century, public affairs have been revolutionized in the extent of their territory, a revolution as great as the wide extension of the British Empire, and achieved with almost as little intention.

The place of the paid official has become more and more important, and his relations with his Authority, whether Parliament, Minister, or Council, of leading significance, especially with the growth of democratic government, yet there does not appear to have been any systematic study of the precise relations of the official to his Authority.

GROWING USE OF THE EXPERT

It would be superfluous at the present moment to expatiate on the great growth of the public services. In the eager search for some ease from the heavy burden of rates and taxes, the electorate are only too fretfully aware of the fact; and some seem inclined to enlist under the flamboyant banner of Admiral Fisher's declining years (applied by him, however, only to a small group of his aversion), "sack the lot."

It is not generally appreciated that government, in its present

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amplitude, is a growth of the last century, and late in that century. It is since that time that there has developed, not only the wide extent of public services, but generally their special professional character.

Until well into that century, government service was in large measure on an amateur basis. In the very early history of our country, there were, of course, men who may be rightly regarded as great civil servants, of whom the Church, as the principal school of learning, provided a large proportion, "clerk" being synonymous with "cleric" and a term of dignity from which it has now fallen, because of the general dissemination of the art of reading and writing and figuring—though even now, put but the word "town" before "clerk," and it recovers all its ancient high estate.

Nevertheless, it is largely true that most of the public service was rendered by men who did not make a special profession of their work, men who, even if they did in fact do so, would probably, many of them, have resented the suggestion (recalling in some respects the present controversy of amateur status in sport), and prided themselves more on their exceptional common sense and general ability than on any specialized knowledge.

This is particularly true of local government, where service was largely not only amateur but conscript—as government must always be to a great extent, even though it be conscript of cash not of person, not perhaps wholly without some loss. Citizens were required to render personal service, in the not pleasant post of parish constable, in maintaining roads, and in other spheres. This trait has not yet wholly disappeared, though it is passing more and more. One of the most interesting instances will have been added to our museum of relics when the reforms of rating and valuation will come into force after their troubled journey, when the office of Overseer, after some centuries of service, much of it honoured, much, in recent years, little more than decorative, will come to an end.

One outcome of the great growth of local government functions is the increasing use of the expert, using this term in its broad sense to cover, not only the person with definite professional qualifications vouched for by some organization, but all persons with specialist knowledge or skill. We in this country have no love for the expert, but we have to lean on him in ever-increasing measure.

The present great army of public service experts has come into being, not by any nefarious campaign of indolents seeking soft jobs, not by any manœuvring of reformers anxious to translate their nebulous dreams into practical measures, but by the hard compulsion of circumstances. Public servants are the children of necessity, not of cajolery. The solitary Medical Officer of Health of 1847 now has a large following, and no one, except a few of the credulous who may believe that salvation lies

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in leaving nature (including her contorted manifestations in modern urban conditions) unrestrained and uncontrolled, would contend that it would be prudent to leave the services considered necessary for public health to amateur effort.

Or take the case of roads. Over a hundred years ago, men in this country had become convinced that, as regards the principal roads at any rate, it was futile to leave their making and maintenance to amateur service. To-day, quite apart from any other consideration, it would manifestly be reckless waste not to have our roads made and kept under the direction of men who have made a special business of this work.

And so we might proceed through the various duties now performed by public bodies and find it fully recognized, however reluctantly, that, for efficiency and for economy, they must be carried out by men of special skill.

Particular mention is required, however, of administrative work, as regards which there is still no little tendency on the part of the man in the street to consider that it does not require any special qualifications, that it is work that can be done quite well by any man of average intelligence, at least after a little training. This is a subject which is among the objects of the Institute of Public Administration, which aims not only at developing administrative ability, but also at fostering the appreciation in the general community that the work of the administrator is a profession—and this in no selfish spirit, for, though there is some danger of making a mystery of common things, and there will inevitably be suspicion in some quarters that this is one of the objects, those who know the requirements of practical administration and have studied its working and its moods will need no convincing that the public administrator, if he is to be worth his pay, must be a man of specialist ability, as much as the doctor or the engineer, even though his qualifications may not, at present at any rate, admit of such clear definition, and that the community will not be well served, its means not be spent to the best purpose, unless this specialist ability is obtained for its service.

SIMILAR DEVELOPMENT IN PRIVATE BUSINESS

The growing use of the expert is not peculiar to the public service. It is equally manifest in private business. In both spheres operations are now much more complicated, they present far more recondite problems than a century ago.

Furthermore, organization is almost as vexed a question in private business as in the public service, and, indeed, is at the present time undergoing an interesting evolution, a fact which is indicated, for instance, to mention only two current instances, in the recent highly instructive report on the Vickers concern, and in the creation of the new office of

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President by one of the principal railway companies, a position filled, be it noted, by a distinguished former Civil Servant.

There is room in this country for a much closer comparative study of organization in private business and in the public service, and much probably to be learnt on both sides from such an investigation—on both sides observe, despite the fable that there are two worlds, one of light and the other of darkness, the former, private business, the latter, public service, but most for the public service because of the freer initiative in the world of business. It is significant that in the United States, where local government has had to pass through many troublous campaigns which we have escaped, there is much more of this comparison; and the most recent and most instructive scheme of local government organization in that country, that of the City Manager, is definitely modelled on the practice in private business corporations.

FACTOR OF DEMOCRATIC CONTROL

Public service is, of course, to be critically distinguished from private business by the element of democratic control. This factor makes the relation of the official to his Authority of crucial importance and introduces special questions of some difficulty.

We have, fortunately, to take democratic control for granted, and the fact that it will almost certainly grow, not diminish. Those experts who are convinced that, in unfettered control, they would soon give us a perfect world, must arrange for a reincarnation in some other age. For the present it is doubtful whether, for practical administration, there is any more pressing problem before us, not only for the smooth working of the machine, but also for good results, than this of the precise relation between the official and his Authority, the relative functions of each and exactly how they should work together.

One problem is that of tenure. The central official, in theory, may be dismissed at any time, with some exceptions such as the judges, but in practice possess what is known as security of tenure. The position of local officials is more complicated. The Medical Officer of Health and the Sanitary Inspector have the security that they cannot be dismissed without the consent of the Central Department, and latterly also Surveyors, if a grant is made in respect of their remuneration from the Road Fund, are similarly safeguarded; the preferential position of the Medical Officer of Health and Sanitary Inspector also arose originally from grants-in-aid.

These cases are, however, exceptional. There has been some demand for similar protection for some other principal officials; but this interesting question, on which all the arguments are certainly not on one side, is not within my beat this evening.

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WHAT IS DEMOCRATIC CONTROL ?

In simpler days it was broadly true that democratic government meant administration directly by the persons who participated in the democracy (not necessarily any large proportion of the population) or by their representatives, and this spirit still continues to a large extent, despite the fact that affairs usually have now become so complicated that they nearly always require the services of the expert. On the whole, this spirit is less manifested in State affairs, for there the field is so extensive and the demands on the representatives so wide that they have to confine themselves in the main to general control.

In local government the conditions are different. Representatives have to deal with problems near at home with which they are familiar. They have more personal acquaintance with the circumstances, and there is often a strong sentiment that they also know how to deal with them. As an American writer has recently put it, if you met a man in the street and asked him to put up a bridge, he would think you had just escaped from a lunatic asylum ; ask him to undertake the government of his city, and he will off with his coat and be ready to tackle the job in full assurance of his ability. There is also the strong tradition in local government to which I have already referred, that government should be directly administered by the citizens themselves or their representatives (although, when investigated, it will be found that before the last century local government really rested much more with the Justice of the Peace than with the municipality), and the machinery of government lends itself more readily to direct administration by representatives in the case of local than of central government.

The essentials of democratic control are two—determination of policy and judgment of results.

Democracy abdicates its functions unless it governs these two essentials ; and, if these two are governed, the rest almost automatically follows. For democratic administration, these are the Kingdom of Heaven, to which all else is added.

It is a mistake, however, to assume that these two essentials are assured if representatives do their work for themselves, as much as it would be to think that a man would surely reach his destination by driving his own car—without the needed skill and knowledge, he may only arrive at a collision or be hopelessly lost in byways.

There are many cases where the best way to get work done is to get others to do it for you, and this is certainly true of democratic administration. It is but a truism to say that the Authority which becomes too entangled in the details of administration is only too likely to lose control of the main current of affairs, to lose sight of the wood for the trees. If an official should wish to control his Authority on matters of policy, his

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opportunities are far greater if that Authority enters into the mazes of details. He knows these mazes, they are his familiar beat; to the representatives they are but confused intricacies and, knowingly or unknowingly, it is likely that they will have to rely on him safely to lead them out.

Speaking from experience, the strong Minister (not always the same as the good Minister) is he who leaves details to his officials, who confines himself to the big issues, who lays down firmly the broad lines of policy and keeps himself sufficiently free to see that the policy is observed.

The same broad considerations apply as regards judgment of results. Sound self-government, and sound administration also, calls in an exceptional degree for the critical faculty, for the ability to sit back and to examine results with a discerning eye, and to ascertain whether the objects aimed for, and possibly promised by, the expert, have in fact been obtained. The successful administrator has in him much of the successful cross-examining barrister.

One of the dangers of our complex civilization is that the plain man is at the mercy of the expert, whether he wishes to secure health, to buy a car, to invest his money, or to help in governing his town or country. He is like the poor fellow who had ample liberty of choice—but only as to how he should be fattened for the feast. He has usually no means of testing the expert except by the latter's own measure. Unless he retains, and uses, his critical faculty to the full, he is in danger of delivering himself bound hand and foot to the expert.

This keen critical faculty is all the more required because in some respects we live in a period prone to delusions, sneer though we may at the credulity of the so-called ages of faith without seeing the beams in our own eyes. History is strewn with intentions not fulfilled, like the dead leaves of autumn, so much so that the story of mankind has been called the history of the unintended.

Conditions are so complicated, consequences so masked, that too often we have to take results as of faith, and, even where we do judge, frequently we have to judge by superficial tests—by examination results, for instance, when what we need is some measure of moral fibre and intellectual aliveness.

The expert, by the very nature of his calling, is tempted to illusions. There is for him nothing like leather; he must believe in his craft and lives in an atmosphere of affirmatives. A caricaturist might well picture the age, proud of its fancied enlightenment, of its imagined dominion over earth and sea and air, as surrounded by little demoniac imps that pull man in what direction they will, without his knowing it—a picture which fits with our microbic period, a caricature, but with sufficient truth to have bite.

So important for democracy is the control of policy and the checking

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of results, so difficult is it to ensure these essentials, so many the obstacles and pitfalls, that, on the whole, the less that democratic bodies are inveigled into spheres of detailed administration the more likely are they to be efficient. They are usually asking for trouble, inviting waste, if they attempt normally to do what should be done by an expert under their control. Mount the minor virtues high as Himalayas, they are as nought if the major needs be not fulfilled. Looking after the pence as a means of guarding the pounds is too often but a delusion and a snare.

I suggest, for instance, that it is not for a Committee of a Local Authority themselves to go through plans to make sure that they comply with byelaws, still less is it for a Committee, as a Committee, to conduct complicated negotiations for the acquisition of land, a procedure worthy almost of Alice in Wonderland, but which is not just imaginary. These are manifest undesirabilities; but it would be a healthy exercise to go through the doings of Committees generally and see how much of their work does really deal with policy and results and how much with details of administration. There is, I am convinced, a substantial piece of work to be done in this sphere for the better distribution of labour.

There are additional reasons, into which I need not now enter, why it is important for good democratic government that representative bodies should really govern, not themselves administer in detail.

OFFICIAL RESPECT FOR DEMOCRATIC CONTROL

The official must play the game; he has to remember that he is required to be not only an expert in his work but an official in a democratic régime. This implies that he must facilitate the control of policy and the scrutiny of results which are essential for full democratic government. He is part of an organism and must function so as to foster its general efficiency.

Further, when policy has once been settled, within legal bounds, he must comply with it, even though he may not agree with it. Loyalty is fundamental to democratic service.

Frankness is equally basic, within the secrecy of official counsels. The duty rests upon him of stating the pros and cons of a projected course with candour, not shirking unpleasant facts, and, even though at times this may lead to temporary difficulties, when done with respect and honest intent, my experience is that it will in return win him respect and confidence. It is the weak man who resents candid advice; and the same holds good of democratic institutions, which grow stronger with frank criticism.

And pros and cons must also be stated with simple lucidity. All of us officials tend to slip into an official jargon, long-winded and abstruse, which, pellucid to our vitiated tastes, is an amazing medley to the plain man. An occasional dose of Swift, Hume, or Cobbett, not Burke for this

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purpose, or Ruskin in his later restrained prose, may be a useful corrective, and win us back some regard for the terseness of the English language.

TECHNIQUE OF DEMOCRATIC CONTROL

I come now to the kernel of my address this evening, the question of the technique of democratic control. Much has been written on it, but most in a desultory piecemeal fashion, little in this country in a systematic manner, and what has been written has been directed chiefly to particular problems, such as that of budget control. Further, matters of central government have received chief attention; there has not been much written on local government.

I propose to look at the subject as a whole, to try to lay down some of the governing principles, without any attempt to elaborate them or to develop their full significance. There is a whole territory here which needs thorough investigation, not just for academic enlightenment, but for practical service in everyday administration, with promise of great improvements in public affairs. The discovery of new methods opens up fresh continents of achievement.

Modern democracy is probably still in its early stages, and he would be a bold man who would venture to foretell the limits of its future development. That it is still in early childhood, with much of childhood's petulant perverseness and charm, is one reason why there remains still so much to be done in formulating the technique of its control.

Those of you who are acquainted with local government, to give an illustration, know full well how little considered doctrine there is to-day as to the organization of work—the division of duties between Committees, the relations of Committees one to another and to the Council, the responsibility of officials to one another, to Committees and to the Council. Topsy who just "growed" might be the patron saint. I am no slave of uniformity, diversity is essential for the best progress; but that is no reason why there should not be more recognized principles in these matters.

I will deal with my subject chiefly with reference to the relation of the official with his Committees and his Council—and I take my illustration from local government because, as I have previously explained, the conditions there are more manifest; the same principles apply in central government.

It may be that there are some cases in which the official bosses his Committee. I have heard whispers of such, though under a representative system this tenure of power is always uncertain, at least unless the official rules by sheer ability and the quality of his work. At the other extreme there are Committees which seem, if I may venture so to put it, almost to forget that they have officials who are paid to do the technical work, and

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who honestly think it their duty, or perhaps the prerogative of their position, to enter into the minutiae of administrative work. In these cases, as in most others, half knowledge is more dangerous than no knowledge at all, because it may tempt a man into presuming an ability where it does not exist.

There are, on the other hand, Committees with a just estimate of the needs of democratic government, who confine themselves in the main (there are good reasons for exceptions) to general control, to making sure that they have good officials, and to seeing that these officials do well, and in accordance with the policy of the Local Authority, the work for which they are employed. The General who takes the place of his captains is a danger; the foreman who does the work of his labourers, a costly luxury; the Committee that acts for its officials, probably inefficient.

What we have to get firmly into our heads is that these differences are bound to occur unless there is a firmly established body of sound technique, well recognized throughout the country. I do not think that this fact can be too strongly emphasized for administrative efficiency—and also that we are as yet only at the opening chapter of the task.

Failing sound technique, established and well-recognized, conditions are apt to be at the mercy of each forceful personality as it comes along, whether he be a representative or an official, and, while this may be an engaging spectacle and not seldom makes for good government, it is at best dangerous, sometimes too much like a bull in a china shop—which can be quite entertaining provided you do not own the shop.

Officials have contributed far too little to systematic thought on this question of the right technique of administrative control in a democratic régime; we are, I venture to think, somewhat to blame, and it is high time that the shortcoming should be made good. The country has a right to expect help from official sources in this matter. Those who are familiar with mountainous country—the upland valleys of Switzerland, for instance—know how great is the benefit from canalizing streams which otherwise, in times of flood, may become devastating torrents, a fact which will be appreciated even by stayers at home in this country by reason of the recent floods. A sound body of technique renders the same service to administrative work.

CONSEQUENCES OF POLICIES

It is not the business of the official to formulate policy, even though he may rightly much influence it. But it is part of the business of the official to be an expert in social affairs within his own particular sphere; and society will not be utilizing his resources to the best purpose unless it uses the official in connection with the settlement of policy. One reason

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why the official may not be fully used is the fear that he may exercise an undue sway, the fear of bureaucracy ; the tiger is kept caged lest the story of the lady of Riga be repeated. Here, again, a body of sound technique, clearly delimiting the respective spheres of the official and his Authority, will make the latter readier to use the former to the full, even in matters of policy.

Particular reference may be made to two methods, reports and forecasts, in which the official can contribute in this sphere—to the benefit of the official himself as well as of his Authority, because responsibility of this kind will make him more thoughtful, more thorough, and more understanding of his work.

REPORTS

In the last three decades of the nineteenth century there was much talk of the need of educating our masters, particularly as a reason for the spread of public education, without perhaps sufficient appreciation that the education which was provided was nothing more than a foundation, and only a rough foundation at that.

There is room for a much wider dissemination of practical information on matters of government throughout the community. Incidentally, it is surely desirable that, in a democratic community, more should be done in making pupils familiar with matters of local and central government.

Official reports have, in the past, contributed much to public education, including the reports of much abused Commissions and Committees, which some regard as a warty excrescence of Parliamentary government, as well as the reports of individual officers. Even though action has not immediately followed on reports, they have contributed to the gradual development of public opinion. Many instances could be given where this has occurred, such as the instructive reports on sanitary conditions in the 'forties, 'fifties and 'sixties of the last century which had a good deal to do in bringing about the great legislative measures of 1848, 1858, 1866 and 1875, to mention only some of the most important statutes.

But great as have been the achievements, they are small as compared with what is possible. Just think of the mass of material which comes within the cognizance of officials, central and local, up and down the country. There is much talk of the waste of coal ; but it is probably small as compared with the waste of intelligence from failure to bring together and to correlate the extensive lessons of experience.

Much public work at the present time can almost be said to be of a primitive character, like mining of the early prodigal days when rich seams were worked and almost as great riches were thrown on the scrap-heap as were extracted. It makes one gasp to think of the riches of

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information, the wealth of experience, and the potentialities of progress which are to our hands if we have but sufficient stature to use them to the best purpose.

Take finance, to mention one simple obvious instance. There may be advantages in publishing the masses of detailed information about the transactions of Local Authorities which it is now customary to issue. I confess that I have some doubts. To the average citizen they are as mysterious, even if he should know of their existence, as the cuneiform inscriptions on ancient stones.

What is primarily needed is simple but instructive and lucid statements of cost, especially of comparative costs, and, for the general electorate, a simple statement of expenditure in telling form, a movement towards which, I am glad to observe, is steadily growing.

FORECAST OF PROBABLE EFFECTS OF POLICY

Administrators should be experts in foretelling the probable results of policies—what, for instance, would be likely to happen if the municipality undertook the retailing of coal, or if prices of tram-fares were reduced or milk were given free at Maternity and Child Welfare Centres; or, to take a wider sweep, what would be likely to happen if the Poor Law were reformed. Government is now too often like an adventurous plunge into an African forest, with all the unknown to follow.

To foresee consequences is obviously not an easy task. As I have already indicated, effects are often so recondite, there are so many factors to be taken into account, that there is always likely to be a large margin of error, but the margin should be much less in the case of the trained administrator than of the amateur.

This is a field which has not been sufficiently cultivated, one in which the official should plough if he is to fulfil the book of the law. It has to be frankly recognized that it is a hard task, because, for the official as for others, it is often much simpler to state what he feels is the better course than to have to set out in reasoned terms what are likely to be the results of any given policy, but democratic needs require that he should be prepared to undertake this harder task.

It is, moreover, work which calls for a high standard of ability. Rule of thumb, even wide experience, is not enough; there must be a reasoned understanding of administrative conditions, and this comes only of much thought on problems, not merely by one administrator here and there but by large numbers of them, and there is at present far too little of it.

The ordinary representative cannot be expected to be an expert in these matters; what is wanted from him is sound common sense, keen business acumen, as from the leaders of industry, a close

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knowledge of social conditions and a keen insight into human nature, such as may be expected from such men as Trade Union leaders. Representatives have a right to look to administrators to state the probable effects of measures, and to state them so far as possible without personal bias in as impartial a form as the mathematician working out his problem.

I am fully aware that to many much of this statement may seem mere academic nonsense ; but I am convinced, not only that it is not so, but that sound progress in social administration requires these things and this temper of mind. The administrative expert should be in very much the same position as, for instance, a specialist called in by an Authority to advise them as to the best possible ways of providing a scheme of water supply or of financial organization. Any who fear that the result might be to make official life a drab dull science need have no alarm, because there will be plenty of problems with nebulous borders, and, in the future as in the past, broad policies are likely to be determined more by sentiment than by thought, but that is no reason why as much intelligent forethought as is practicable should not be introduced into their solution.

ASCERTAINMENT OF RESULTS

Another pillar of sound technique in democratic administration is the clear ascertaining and stating of obtained results, so that the governing body, and the electors, may know definitely what they are getting and at what price, and, furthermore, whether expert performance tallies with expert promise—a dangerous prospect, some officials may think !

Here again is a branch of technique still in its infancy.

One section of this branch lies in proper costing returns, a sphere in which steady advance is being made, but where more rapid progress is practicable and desirable in order to secure the substantial economies that are to be won. There are many branches of public service which lend themselves readily to costing returns, where there is no excuse for the lack of them, except tradition, old-fashioned ways, lack of knowledge, possibly, in some instances, want of ability.

By costing returns is not meant simply tables of crude costs, but of costs reduced to simple unit terms, rendering them readily understood by the ordinary representative, and making easy and instructive the comparison of the ascertained costs with those estimated and with those of other periods and (with allowances for difference of conditions) of other places.

I could give instances where large savings have been effected in annual expenditure by this simple measure of economy. This aspect of economy, however pressing though it be at the present juncture, is

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not my subject to-night ; I wish to consider this matter of costing returns in relation to the technique of democratic control.

What I want to emphasize is this, that so long as the representative is not provided with instruments of ready control, he is likely to trust the official less and be the more tempted to interfere even in technical matters. Provide him, however, with ready means of control, and he will give the official more scope, and this larger scope is often required for efficient administration. The freedom of the official depends on the assured mastery of the representative—which in turn depends on sound technique.

Therefore, proper returns of cost, significant and easily understood, constitute one essential measure for securing the right relation of the official to his Authority.

I have spoken only of returns of cost. Returns of efficiency are equally important—though much more difficult to obtain.

Herein lies a critical difference between public affairs and private business. In the latter, efficiency can generally be measured in simple terms of *£ s. d.* So also can many sections of public work, but not all—though some of our critics sometimes seem to think that money is never any consideration. In most cases, the general good of the community—health, education, well-being, and amenity—must also be considered.

In some spheres, efficiency returns even now are possible—reduction of outbreaks of disease, reduced death-rate, especially, for some purposes, reduced infantile mortality, reduction in accidents, the purity and constancy of water supplies, and so on. But there is room for still further advances.

Utopian, some will say. Utopian or not, certain it is that, just as in the past great advances have been made in accurately measuring effects which previous generations have declared impossible of measurement, so also in the future will great progress be made ; and, even as scientists are busily engaged in discovering new means of measuring the minutest forces of matter, so also it should be one of the tasks of administrative science to devise methods of measuring the efficiency obtained in the various services. The gospel of measurement applies to administration as well as to science.

Administrative science, or art, if you will, is no more stationary than chemistry or the manufacture of steel. There are revolutions of improvement still to be accomplished, and administrators should bend their energies to that end, with the assurance that, as one of the benefits, the right relations between the official and his Authority, which are necessary for the best work, will be materially fostered by each fresh advance, as the instrument of control is made more definite and more ready of use.

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CONCLUSION

May I now shortly summarize the principal conclusions of this brief study.

1. The proper relation of the official to his Authority is one of the leading problems of modern government, now that the use of the expert has become so widely necessary.
2. Good administration depends in large measure on the firm control of policy and the clear judgment of results by the Authority, while the expert is left to carry out the details of administration which call for technical knowledge and skill.
3. For this result, there is needed a large development of the technique of democratic administration; and to this technique administrators should make liberal contributions.
4. The technique must provide particularly for two essentials—
 - (1) The clear statement by the expert of the probable effects of alternative policies;
 - (2) The clear statement in readily comparable terms of the actual results of the various spheres of administration, both as regards efficiency and cost.

We have peeped a little into the vast new territory, as yet but little trodden, which lies before administrators. There are still great worlds to conquer, still new instruments to fashion, instruments which will excel those now in use as greatly as the modern machine surpasses the primitive flints of our painted ancestors; and it is for those of us who possess this faith to contribute our share to the great advance that is open to us.

The Relations between State Departments and the Nation

By H. H. ELLIS

[Being the Winning Essay in the 1925 Competition for the Haldane Medal
and Prize]

IN complex and highly civilized modern states the services performed by the Government are readily lost sight of, and, indeed, are rarely visualized except by the more thoughtful and imaginative citizen. Particularly is this the case in our own country as regards the functions of the great State departments. Even the existence of some of these is unknown to a considerable part of our population, while others exist merely as names. Perhaps most people can appreciate to a limited extent the manifold activities of the Post Office; but this partial knowledge far eclipses the amount of general information concerning many other departments. The Board of Trade (not too happily so named) and the Customs and Excise Department may be quoted as examples. The ordinary citizen has an extremely limited knowledge as to the activities of Board of Trade officers, while it is probable that the commonest view of the Customs officer is that he is an official who arrests smugglers.

This state of affairs results largely from the apathy of the public. For many reasons it is to be deeply regretted, and particularly so at the present time when taxation stands at a level almost without precedent, while the post-war problems of social life appear to be more remote than ever from solution. For both these conditions the great State departments are freely blamed, and as a necessary consequence their functions are viewed with distrust and hostility by the tax-paying community. It is primarily the purpose of this essay to consider what justification exists for this attitude, and to review the measures which might be adopted by State officials to meet the charges brought against departmental administration.

LAW MAKING AND LAW BREAKING

In order to view our subject in the best perspective it is necessary to consider the general relationship between the nation and constituted authority. It would be platitudinous to assert that a nation gets the

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government it deserves, and that in democratic states government rests solely on the will of the governed. In a broad sense these dicta are perfectly true. They are probably especially true in countries, like our own, where the democratic idea has developed slowly, and where progress has rarely been signalized by hasty or violent action. Our history has been one of gradual and tentative reform. In many cases social measures have been adopted by local administrative councils before their scope became national. Again and again the processes of reform can be traced in our social history—first the slow formation of public opinion, overthrowing the barriers of inherent prejudice and instinctive conservatism ; then the introduction of a Bill in Parliament ; and finally a new measure in our Statute Books expressing the will of the mass of the nation.

Such being the characteristic British method of law making what happens to the old lumber of legislation which no longer formulates the national will ? To a great extent such lumber is stacked away in the national archives and there left undisturbed except by the legal student. Some enactments are moribund for the reason that they were designed to meet conditions which no longer exist. Recourse to these is of such rare necessity that they have almost perished from disuse. Appeal is occasionally made in the Law Courts to some old and virtually obsolete statute ; but, broadly speaking, such an appeal would succeed only if it turned the balance in favour of the defendant—never if it operated to give a verdict against him which would be inconsistent with modern conceptions of justice.

One more aspect of this matter requires to be noted. In highly civilized communities legal requirements which make strongly for the public good tend to become absorbed and observed instinctively in the communal life. In such cases the law ends by becoming a mere confirmation of a social necessity that is universally recognized. The actual letter of the law may be almost dead and forgotten, but its spirit is alive in the nation's unwritten principles of conduct. This absorption is clearly desirable, and it affords, moreover, a reliable measure of the success of legislation. Absorption would not be possible in the case of oppressive legislation, and the fact that the British, as a nation, are conspicuously law-abiding is no small tribute to our legislative methods. The rights and liberties of the subject are held to be of first importance in the framing of our laws. It is illuminating in this connection to note the extremely large number of instances in which the provisions of the law are permissive rather than mandatory and in which the maximum penalties for offences are laid down rather than specific ones. Mandatory provisions are almost always to be found in defence of the rights and privileges of the individual citizen ; and, conversely, permissive provisions deal with what *may* be required of him. In actual practice the

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extreme stringency of the law is only called into operation when the public weal demands the exercise of such rigour.

ADMINISTRATIVE POWERS AND LIMITATIONS

In this review of our law-making methods endeavour has been made to bring into prominence one feature of the British system of government which is indispensable to its satisfactory working. This indispensable factor is elasticity, without which the system would prove dangerous and unworkable. It must therefore be regarded as of great importance in considering the administrative and executive functions of State officials.

Any one acquainted with the major enactments in our Statute Books will realize how wide are the powers conferred on public servants and to how great an extent these powers are discretionary in character. Such powers, administrative and executive, are exercised by ministers of State, judges, magistrates, police, civil servants, and municipal authorities. The responsibility of interpreting the law wisely is theirs. On the one hand, it is for these public servants to ensure that the laws of the country are duly observed; on the other hand, it is equally theirs so to exercise their discretionary powers as to mitigate where possible the harsh outlines of the law. It is in fact no exaggeration to assert that the details of administration afford to public servants the opportunity to preserve the spirit as distinct from the mere letter of the law, to enlarge the boundaries of liberty by broadness of policy or to restrict those boundaries by insistence on non-essential details.

It may be thought that there is a grave danger of misuse by public servants of powers so elastic and extensive. Indeed, such a danger always exists. Misuse of authority may take the form either of oppression or of corruption, and it would not be difficult to indicate modern states in which these developments have actually taken serious shape. The logical outcome of bureaucratic oppression is internal strife and even revolution: the results of official corruption, though not so immediately apparent, are no less evil since they take the form of a progressive degeneration in the moral tone of the community. Happily in our own country we are comparatively free from these evils of officialdom, and, although our own public servants are the subject of adverse criticism of many kinds, it is seldom that a serious charge of oppression or corruption is preferred. Apart, however, from the mere absence of these vices of officialdom (which is after all but a negative kind of virtue) there are many positive merits which are pre-eminently the possession of British officials. Reference may be made to the uprightness of our judges, the humanity of our police, and the impartiality of our civil service. These qualities are conceded by all unprejudiced observers of whatever nationality.

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A number of causes assist to produce and maintain the high standard of integrity of British officials. There are of course certain legal and constitutional safeguards such as those furnished by the electoral system and by the right of trial by jury. The nation can thus exercise control through Parliament and the Law Courts. There is, further, the fact that autocratic power is seldom wielded by a single official or group of officials, and that, as a result, there is no tendency in any quarter towards undue usurpation of authority. But by far the most potent restraint is that exercised in various ways by the intangible force of public opinion. By this is meant not merely the force of public opinion as voiced by the press, by political institutions, by chambers of commerce, etc. Rather it is meant to indicate that the high traditions of British commercial and social probity postulate similar standards in the public services. Officials in this country are not a class apart. The national life is a complex fabric into which habits, instincts, superstitions, laws, observances—all are woven; and the functions of various officials are mere threads interwoven with the rest. Officials are thus in close, continual, and sympathetic touch with the nation—responsive, therefore, to the call of the same ideals. In the formation of these ideals a great part has certainly been played by those eminent public servants who have set a standard of probity for emulation both by the nation and by their humbler colleagues. Similar parts have been played by the great captains of industry, by national leaders of all kinds, and indeed by every wise and able citizen. It would be invidious to state that either officials or private citizens have led the vanguard. It is sufficient to realize that national standards and official standards are so interdependent that they must in the main rise or fall together. It is in this sense that it can most truly be said that the nation gets the government it deserves.

STATE DEPARTMENTS AND THEIR CRITICS

In this general survey of the functions of all classes of officials it has been emphasized that all official authority is based on laws framed or sanctioned by the elected representatives of the nation; that the effective operation of these laws requires their administration to be supple and flexible or stern and unyielding according to the needs of the occasion; and that, finally, public servants do in fact successfully fulfil their obligations without exceeding them, and are, broadly speaking, singularly free from the major evils of officialism. Particular consideration must now be given to the case of permanent officials in the great State departments, known usually as civil servants.

Of late years much criticism has been directed against the organization of the great State departments. It should, of course, be recognized at once that free criticism has contributed largely to the success of our

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methods in making and administering laws. It has been a great factor in maintaining a close touch between the nation and the Government, and should therefore be neither resented nor neglected. It is, indeed, of first consequence that all public services should respond sympathetically to the needs and desires of the nation ; and, with this in view, all complaints, criticisms, and suggestions should receive careful consideration.

Criticism, however, to be of any value, must be founded on knowledge and understanding. It must also be of a constructive quality, not merely destructive. Attention has already been directed to the amount of misapprehension that prevails as to the activities of various departments. Much ineffective criticism takes its origin from similar misapprehensions, and there is in fact so large a volume of this worthless criticism that it tends to submerge complaints really well-founded and suggestions of concrete value. It is to be feared that the departments themselves, so often unjustly maligned, show some tendency to think lightly of outside criticism of their methods. This complaisant attitude is to be deplored. It has to be remembered that events of recent years have resulted in a rapid advance in taxation, in the cost of living, and in the cost of the civil services. The community is resentful of a growing expenditure on services the nature and scope of which it only dimly realizes. It is permeated with a vague distrust of officialdom, while, on the other hand, civil servants, under suspicion of malingering, are resentful of ill-informed criticism. These are factors in the relations between State departments and the nation which demand the very closest consideration. No effort should be spared to dissipate an atmosphere of mutual distrust which is inimical to effective administration and tends gradually to undermine the authority of government.

The public attitude needs to be clearly realized ; but, on the other hand, it is necessary not to exaggerate a hostility which extends only in certain directions. The individual citizen sincerely holds the opinion that all Government departments are over-staffed and badly organized, and that the civil servant is overpaid and under-worked and—from the business man's point of view—ignorant and incompetent. Yet the same individual reposes in fact the utmost confidence in the services which this or that official may render him. It is difficult to find any explanation of this illogical attitude, but it is easy to ascribe a number of causes which contribute to the national prejudice against civil servants. This prejudice is partly a survival of the times when officials were recruited under the patronage system, and ability was not always the first consideration in selecting from among a number of nominees. At that time long hours, short holidays, and meagre pay were the rule for the rank and file of the commercial world, and the better conditions enjoyed by State officials were a target for envy. This advantage has largely disappeared, but the

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envy remains. Again, the scope of departmental activity has been largely increased by the legislation of recent years. New legislation connotes disturbance of certain interests, and the odium of this disturbance has fallen naturally upon the heads of officials charged with carrying the law into effect. Another prejudicial influence is that of the press. The sober facts as to departmental activities are not good "copy," and in consequence items of a sensational nature are alone brought into prominence. Moreover, a favourite theme of irresponsible journalists is the ineptitude of governments and the inefficiency of the civil service. They enlarge on this subject in the course of expounding their own infallible remedies for all the ills of civilization. Such writers are not to be deterred because a few facts would shatter their arguments.

It is difficult to make headway against so strong a stream of criticism. It may be true that the charges made will rarely bear investigation. Often they are of so intangible a nature that to counter them effectively is impossible. State departments are of course no more infallible than are other large organizations. Mistakes are made indeed, but there is no evidence that civil servants are more culpable than others in this respect. The evidence, in fact, is rather in the other direction. Members of all political parties have paid tribute to the loyalty, integrity, and efficiency of the civil service. Independent committees appointed to examine conditions of work and pay have found little on which they could comment unfavourably. Yet, notwithstanding these facts, the general attitude of the public remains unshaken. What, then, can be done to modify this attitude? This problem appears to be one for which the civil servant must find his own solution.

STATE DEPARTMENTS ON THE DEFENSIVE

The nature of the complaints which are preferred must first be considered. These may conveniently be divided into three categories, viz. complaints as to "red tape," as to "official waste," and as to "State interference." The community objects to the first as meaning loss of time and efficiency, to the second as meaning loss of money and material, and to the third as meaning restriction of liberty and opportunity. Such objections, in so far as they are based on charges which can be substantiated, are reasonable and justifiable. Moreover, there is no doubt that specific charges of this kind, if made the subject of representations to the department concerned, will always receive close examination with a view to the provision of proper remedies. Unfortunately this is not sufficient. The charges made are more frequently general than specific, and they are for that reason the more difficult to combat.

Perhaps the most common charge is that of employing "red tape." By this is meant the application of rules, regulations, forms, formalities,

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etc., to the transaction of official business. These, to the layman, are mere time-wasting devices for which he has a profound contempt. Yet a little reflection would convince him that such methods are by no means the monopoly of Government departments. They are inevitable in any large undertaking where the work is necessarily divided into a number of sections. As a result of such division there grows up a system of references and consultations, while certain members of the staff tend to become specialists. In such a system "red tape" is innate. We have, then, to consider whether in the methods of Government departments there is an excess of "red tape." Do their methods merit the aspersions which those of commercial enterprises usually escape? Certain differences in their respective functions must be remembered. The business firm has normally but one consideration—whether any particular transaction will afford an adequate margin of profit. All the organization of its several departments is designed to secure this one ultimate objective. Mistakes are most serious which endanger this objective, and such mistakes are the concern of the partners or shareholders alone. It is true that in the case of certain very large undertakings (such as railways and mines) the community has of recent years begun to realize that it is as vitally interested in their efficient organization as are the owners and shareholders. But in the case of Government departments the situation is very different. They are trustees for the nation; their policy must be just, unbiased, and continuous; and they have perpetually to hold the balance between various conflicting interests. It is obvious that such grave national responsibilities cannot be lightly discharged—equally obvious that formal methods of procedure must be adopted in order to fulfil these responsibilities.

The extensive use of forms in Government departments may here be mentioned. This method of dealing with routine business appears to be the most direct and convenient that can be devised. It is, in fact, commonly employed by business firms without its being stigmatized as "red tape." Indeed, the more efficiently organized the business the more its affairs can be transacted by the use of forms only, and without the necessity for long and elaborate letters and memoranda explaining what has been done or what is required. It is of course true that in business circles forms pass generally between people familiar with their special uses, and that only rarely (as in the case of insurance proposal forms) are inexperienced individuals called upon to complete them. There are, on the other hand, many cases in which information required by State departments is elicited from private individuals by means of questionnaires. The disadvantage to their use in such cases is that they are apt to appear to the uninitiated as rather meaningless lists of inquiries. This one disadvantage is, however, completely outweighed by the advantages, and it is certain that no better method is available.

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We have now to deal with the second category of complaints, those denouncing "official waste." The normal safeguards against departmental extravagance should first be noted. Estimates of expenditure are prepared in advance by each department and are submitted to the Treasury. On these estimates the Chancellor of the Exchequer bases his Budget, which is in due course introduced into the House of Commons. Its provisions are there subjected to every kind of criticism, from that of party leaders to that of private members. The Budget is liable to amendment or even complete rejection. Thus, theoretically at least, all expenditure receives the sanction of the members of the House of Commons, and, through them, of the nation.

What, then, is the evidence of official wastefulness? It has to be admitted that, during the war period, rigid control of expenditure was impracticable, and that there were consequential losses which would have been eliminated under normal conditions. As against this, however, the evidence furnished by the report of the Geddes Committee can be adduced as authoritative. This committee was appointed at a time when economy was imperative. It was appointed amid popular acclamation with the specific object of reducing State expenditure. Its inquiries were prosecuted at a time when the departments could least be expected to sustain so severe a scrutiny of their organization and co-ordination. During the war, with large numbers of their experienced officers absent on active service, they had been called upon to assimilate a whole mass of new legislation, to undertake many unfamiliar duties. They were still suffering from the aftermath of these conditions, in the shape of depleted and inexperienced staffs. How, then, did they emerge from the ordeal? As regards naval and military expenditure the committee were able to suggest substantial economies. They were also able to propose reduction of expenditure on certain services which "although desirable were not essential." A great part of these reductions was in fact indicated by the departments themselves. But as regards departmental organization, as regards the numbers of the staffs employed, and as regards the standards of salaries paid, the recommendations of the committee were of comparatively minor importance. It has to be remembered, also, that many of the departments were in process of shedding a number of duties thrust upon them during the war, and that the consequential adjustments of staff had not been fully effected. In view of all the circumstances it may be said without any disparagement of its real value that the Committee's Report is to be properly regarded as a noteworthy tribute to the success of departmental organization under the most severe conditions.

The final charges to be met are those we have classed under the heading of "State interference." Properly speaking, such charges are directed rather against legal provisions than against departmental actions. In

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practice, however, the odium of legislation which runs counter to individual interests has to be borne largely by State officials. It is necessary, therefore, to remember that legislation is the expression of the will of the nation as a whole, as formulated or approved by its elected representatives in Parliament. Reference has already been made to the slow growth of democratic institutions, and to the gradual absorption of legal requirements into the national life. The crises of the last decade have, however, in some measure disturbed the smoothness of these processes. Drastic changes have in some cases been necessitated. National relief of the unemployed, the extension of the bases of taxation, the control of commercial enterprise during the war, and other similar developments of departmental activity have all operated to provoke the present attitude of the public. Yet none will deny that these were necessary developments undertaken in the national interest. It is, of course, always open to question whether all the measures taken were wise and expedient, but it must at least be assumed that, since they were adopted by the Government and sanctioned by the Houses of Parliament, no better alternatives were available.

Mention should perhaps be made here of a not uncommon view that "State interference" is traceable rather to administrative officiousness than to legal provisions. To the ordinary citizen much information requested by State officials appears to be unnecessary, and many decisions made by them on matters within their determination appear to be without justification. Often the action taken is attributed to mere caprice, whereas the precise contrary is the truth. The only really effective remedy is that the reasons underlying administrative action should be understood by those affected by it. It might, therefore, be seriously considered whether much might not be done to restore public confidence if it were made a common practice both in written and verbal communications with the public to indicate in suitable cases the reasons for the action taken. It is obvious, of course, that such a practice, if exercised by inexperienced officials, would involve the risk of indiscretions. This risk, however, might be guarded against by the careful selection and training of officials for this class of work.

CONSTRUCTIVE ORGANIZATION

From these considerations it is apparent that public criticism of departmental methods is largely the result of misunderstanding and misapprehension. Yet, when this has been said, it may be freely admitted that much still remains to be done towards perfecting the machinery of administration. Organization needs to be not static, but dynamic, moving always towards the goal of perfection. In this objective every loyal civil servant should feel a personal interest, and he should use his best efforts towards its attainment.

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The hall-marks of successful administration are simplicity and efficiency. Organization has for its aim to secure the former without sacrificing the latter; and in pursuing this aim economy in expenditure and the establishment and maintenance of good relations with the public must continually be borne in mind. This is indeed a single problem, but we are here concerned only with that aspect which concerns departmental relations with the nation. We have seen that the individual citizen has certain rooted aversions; he detests delay in dealing with business that he regards as urgent; he detests filling in complex forms; and he detests all the hampering restrictions placed by the law upon his affairs of business or pleasure. These are the irritants which poison his mental attitude. It is for these that civil servants must seek an antidote.

This task is one which in each department presents different problems. In some it is one of central organization: in others it is mainly one for individual civil servants dealing with small blocks of business. In either case the objects to be achieved are the same—simplification of procedure and avoidance of delay. It is not here possible to do more than indicate thus briefly the general lines along which improvements might be effected. Moreover, as regards problems of central organization and as regards the co-ordination of work between different departments, the matter is rather one for the attention of experts who bring to the task the fullest knowledge and the highest authority. It is, however, desirable to make here certain observations as to what may be described as the personal relations between civil servants and the public. There is, of course, a theory that, in their official characters, the rank and file of the civil service should have no personality; they should merely function as parts of a machine. This view, however, does not take into account that the attitude of the community towards departmental administration must be profoundly influenced by impressions received from personal contact with officials. It is clear, then, that a heavy responsibility rests upon all civil servants whose official duties bring them in direct touch with members of the public, and in particular upon the personnel of such departments as the Post Office, the Inland Revenue Department, and the Customs and Excise Department. In view of their special opportunities such officials should give particular attention to the question of establishing better relations between themselves and the public.

We may consider, then, the case of the individual civil servant who has charge of a small block of business, and who, either personally or in writing, has direct dealings with the public to a greater or less degree. A number of factors will affect the quality of his work. Does he know his own duties thoroughly? Does he fully appreciate the relationship of his own duties to the whole field of administration? Is his work

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always right up-to-date? Is he competent to make instant decisions up to the limit of the powers he exercises? Has he the foresight and discretion to avoid decisions which may prove dangerous? Has he the knowledge to direct members of the public as to where they should apply when his advice is sought on subjects outside his duties? All these are qualifications of the ideal civil servant. He needs to be courteous, discreet, well-informed, and thoroughly competent in his work—wise as a serpent and harmless as a dove.

Now these are qualities which, were they exercised by every civil servant, could not fail to make their due impression on the attitude of the public. At the same time they would add to the efficiency of the machinery of government. They are, however, qualities only possessed by men of the best type who have received special training to fit them for the exercise of administrative discretion within certain defined limits. It may be claimed that recruits to the civil service, the raw material from which officials are made, are potentially men of the type required. If this be admitted we have to inquire whether the training they receive is such as to develop in them the qualities most required.

Reference has been made above to the necessity for elasticity in government. This can only be achieved if a wide degree of discretion is permitted to individual civil servants. It is not sufficient that higher officials only should exercise such discretion, and it is moreover in the exercise of discretion that individuals may attain the highest standards of efficiency. In this way their interest is maintained, their stores of knowledge are increased, and their powers of judgment are developed. It certainly appears probable that, in many cases, the narrow limits of discretion imposed on individual civil servants result in the waste of potentialities of great value.

Much, however, can be done by the civil servant himself to resist the fossilizing tendency of too large a proportion of routine duties, and too few opportunities for decisive personal action. He can equip himself so as to shoulder the full responsibilities of his own particular work; he can make decisions firmly and promptly; he can take an interest in the wider issues of which his own work is a part; he can deal expeditiously with all public business, and eliminate mere formality as far as possible. Even the smallest details of machinery require to be overhauled, renewed, and lubricated in order that they may function successfully; and the humblest civil servant can make it his personal concern to contribute intelligently to the smooth and efficient working of the administrative machine.

A final word may be added as regards the individual civil servant in his character as a citizen. It is often to be observed that he himself acquiesces in popular but erroneous strictures on departmental maladministration. Particularly in the subordinate grades he is not even

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guiltless of fostering opinions which are the reverse of complimentary to himself and his colleagues. He may perhaps be loyal to his own department, while distrustful of the activities of other departments. He too is a tax-payer and has some resentment of the exactions of the Treasury from his reluctant purse; and he adds his voice to the general condemnation of "red tape," "waste," and "State interference."

Such action savours of disloyalty. As a private citizen the civil servant has, of course, an undoubted right to form his own opinions as to when departmental activities tend to become injurious and wasteful instead of beneficial and economical. He may express his considered opinions in speech or in writing, and he may signify his approval or disapproval of governmental policy at the polling booth. He is, however, under a special obligation to maintain the authority of government. This consideration should restrain him from a ready acquiescence in criticisms of administrative methods. His own official experience should have taught him how ill-informed such criticisms frequently are. The private citizen, irritated by some personal grievance against official action, sees real or imagined defects grossly magnified. In him this is excusable: but in the civil servant a wider outlook is expected. It is incumbent upon him to weigh the successes of government against its failures, and he should above all realize the necessity for maintaining governmental authority. The civil servant is privileged to bear a part in the business of government. Loyalty and interest alike should urge him to do his best to inculcate respect for that authority without which government would be impossible.

The Masters of Balliol¹

By SIR ALEXANDER LAWRENCE, Bt.

THE lives of schoolmasters and of University Dons are difficult to write and do not appeal to a wide public; they do not abound in stirring incident and they seldom lift the curtain from great secrets of state. Yet they may alter the course of history more than those of great men of action and great men of affairs. Mr. Mackail, in his life of Strachan-Davidson,² late Master of Balliol, has produced exactly the right kind of biography for such a subject, not too long, not too technical, but illuminated by the hand of a master of English prose.

In the nineteenth century few men shaped the destiny of this country more profoundly than the series of Masters of Balliol College, Oxford. Excepting Benjamin Jowett, none of them lived in the limelight of public curiosity; they ruled a college of a very few score of young men and, like the two Cambridge men who were burnt outside the back gate of Balliol in Mary Tudor's time, they lit a candle which has not yet been put out; in fact, the conflagration still goes on increasing, and it is in the sphere of public administration, at home and in India, that it has burnt deepest.

When about a century ago Oxford began to awake from a sleep of over a hundred years, Jenkyns took the inconspicuous but momentous step of throwing two Balliol scholarships open to public competition.

It was not the first time that Balliol had broken new ground. Nearly five centuries earlier the greatest of all its Masters had by his zeal and his scholarship made a great upheaval in Church and State; the times were not then ripe for the Reformation, and John Wyclif's teaching was suppressed in Bohemia with much blood and fire, and in England with a milder application of the same arguments, but his writings remained, his English translations from the Bible survived, and the seed sown by this Oxford Don was never quite rooted out until in the second century after his death it sprang up again at the call of Martin Luther, to change the face of England down to our own day.

One indirect repercussion from Wyclif's Balliol led directly to a great step forward in the development of our public school system and of the Colleges of Oxford and Cambridge; for it was concern at the spread of Lollardism which prompted William of Wykeham to launch upon the world

¹ In view of the forthcoming Summer Conference of the Institute, which will be held at Balliol College during the week-end 23rd to 26th July, this article possesses considerable topical interest to readers of this Journal.—EDITOR.

² *James Leigh Strachan-Davidson*, Memoir by J. W. Mackail. (Oxford University Press, 7s. 6d. net.)

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his twin foundations of Winchester and New College. Bishop of Winchester, ex-Chancellor of England, a great architect, and a great man of affairs, he decided to combat the heresies of Balliol by building two great colleges on a scale of endowment hitherto unknown, with constitutions strictly framed to secure a steady output of learned and orthodox clerks; thus the wealth of the Church might be used to neutralize the pernicious influence of the less wealthy college founded long before by the pious Lady Dervorguilla and her husband, parents of the unfortunate John Balliol, King of Scots. William of Wykeham's example was closely followed in the similar twin Colleges of Eton and King's, commenced by the "Royal Saint," Henry VI., and completed long afterwards by Henry VII.; hence grew up one of the most fundamental and peculiar of our institutions, the system of endowed boarding-schools for sons of the well-to-do, closely linked with Colleges at the two great Universities.

Such were some of the consequences which flowed from the fact that in the fourteenth century a certain Master of Balliol happened to be John Wyclif.

In the nineteenth century, after a long time of obscurity, the College again came to the fore, owing to the fact that its Master happened to be Jenkyns, and the indirect results of his innovations have profoundly affected the history of the next hundred years, not least in the Civil Service, which has now for two or three generations been recruited on the same system by which he chose his Balliol scholars. When Macaulay, Trevelyan, and Northcote by degrees substituted the "Competition Wallah" for the nominated Civil Servant, the future of their experiment depended largely on the form in which the examinations were to be conducted. It was mainly Jowett who guided the new system on to lines which made it a triumphant success.

Throughout the two preceding centuries the history of both Universities had been deeply influenced by the work of two other men of academic distinction. Archbishop Laud, as Chancellor of the University, had purged Oxford of its Puritans, and incidentally, of other elements that went with Puritanism; there followed an increasing lethargy which lasted till the nineteenth century. Newton had inspired Cambridge with a zeal for mathematics, and all through the eighteenth century the Tripos kept her very much alive.

In the second quarter of the nineteenth century the time had come when the Fates had ordained that Oxford should wake up again, not so much through the "Oxford Movement" which was centred round a few individuals and had little effect on the University, but in an opposite direction through the breaking down of the old formal barriers and of the old unwritten conventions.

As Mr. Mackail happily expresses it, when Strachan-Davidson, its future Master, went up to Balliol in 1862 he found it "midway between

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the Oxford of *Verdant Green* and the Oxford of *Zuleika Dobson*." Any one who has not read those two novels is hereby assured that he had better read them now if he wants a few hours' enjoyment.

The chance of winning £80 a year for four years, offered by Jenkyns to every clever boy in every public school, had given to the Balliol scholarship a prestige which it has not yet lost, and had attracted to that College the very pick of the brains of young England. The other colleges followed suit in due course, but Balliol had the start and retained the lead. At a later date Balliol offered £100 to scholars and £70 to exhibitioners, as against £80 and £50 in most other colleges; the difference was enough to turn the scale for many boys—a useful object lesson in the importance of small details of "administration."

It was only in 1862 that New College for the first time allowed any other school but Winchester to compete for its scholarships, and its very first "open" scholar was Archibald Spooner, who in due course became its Warden and who retired only last year after having enriched the English Dictionary with a new word.

In 1862, however, a reaction had set in at Balliol. Jenkyns had been succeeded by Scott, still known to all scholars as one of the two compilers of a magnificent Greek Lexicon, but then engaged in holding back the tide of innovation led by Professor Jowett, the *bête-noire* of the orthodox in Church and in University.

He was more successful than King Canute, for he did in fact keep back the tide for some years, until in 1865 the election of the future Sir Courtenay Ilbert as a Fellow gave to Jowett a bare majority of supporters in the governing body of the College. Thus one who was himself destined to be a great Civil Servant was the means of giving effective control of the College to the man who beyond all others moulded the system of competitive examination for the Civil Service and inspired the policy of the Civil Service Commission.

When, in due course, Jowett was elected by the Fellows to succeed Scott as Master, he had full scope for his remarkable gift of recognizing and influencing the men who sooner or later were to guide the affairs and the ideas of the nation. Himself pre-eminently the child and embodiment of the new régime, he had once intended to go to Trinity, Cambridge, but in fact came up to Balliol as an undergraduate in 1835 because under Jenkyns' new dispensation there were already scholarships open to public competition.

Upon his election to a fellowship he became a prominent upholder of the new Jenkyns' régime, and when Jenkyns died he seemed marked out to succeed him. But his theological views, though now widely held in the Church of England, were then regarded as dangerously unorthodox—no better than those of another Balliol man, the future Archbishop Temple, then Headmaster of Rugby. The governing body of the College

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consisted of the nine Fellows, and on the eve of the election, according to the story current in the 60's, Dr. Pusey, a prominent light of the Oxford Movement, convinced one of them, a friend and supporter of Jowett, that it would be disloyal to the Church to elect him as Master. This turned the scale by one vote, and for the next few years Jowett retired like Achilles to his tents, until the balance of parties in Common Room was finally shifted.

Nevertheless, under Scott the College continued to prosper. The system introduced by Jenkyns continued to skim the cream of the public schools, not only in scholars and exhibitioners themselves, but also in commoners of ability who preferred to come to a college so full of able men. Corpus too had thrown open its scholarships and stepped into the distinguished position among the smaller colleges, which it has never lost, but Balliol remained in a class by itself. Oriel caught the new spirit and threw open its fellowships to public competition, with magnificent results, and presently Parliament compelled all colleges to do the same. The result was that during the next generation Balliol men, and the Balliol spirit, spread all over Oxford. The other colleges, great and small, began to be staffed and ultimately governed by men of conspicuous ability who had imbibed an atmosphere where a career was open to talent rather than to patronage.

Oxford, for the first time since the days of Queen Elizabeth, began to gain upon Cambridge, where the colleges still tended to confine their fellowships to candidates trained within their own walls. Trinity and a few other great colleges could find among their own men a supply of good candidates for a fellowship, but the lesser colleges were handicapped so long as they recruited their teaching staffs from the limited field of their own undergraduates.

In Jowett, Balliol had found its Pericles and under his sagacious management it attained a pre-eminence which it is difficult for the present generation fully to appreciate. It would be hard to find in any other place and in any age a community of a few score young men of whom so many were destined to careers of distinction. A photograph of a group of Balliol undergraduates, taken in 1865, contains a Lord Chancellor (Lord Loreburn, who also, for four years, played cricket against Cambridge), a Foreign Secretary (Lord Lansdowne), a Home Secretary (Lord Ridley), a notable Colonial governor (Lord Jersey), a High Court Judge (Sir Bargrave Deane), two eminent Civil Servants (Lord Muir Mackenzie and Lord Francis Hervey, head of the Civil Service Commission), Ernest Myers the poet, and a Bishop who was then a Rowing Blue, besides several Professors and other men of academic distinction.

Another new departure was that the College began to attract and to admit undergraduates from distant parts of the world. Nowadays, foreigners from all climes are not unfamiliar features in the life of both

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Universities, but it was Jowett who first reverted to the long disused custom of earlier days when Oxford and Cambridge were a meeting-place for many nations.

This innovation, no less than the "Balliol manner" and the "Balliol voice," produced a good deal of ribald laughter outside the College walls, and to this day a reference to "black men" is apt to be ill-received in a company of Balliol men. In the 80's a Trinity undergraduate, imitating Walt Whitman in the *Oxford Magazine*, thus described his feelings on a critical occasion: "I see the Balliol men *en masse* watching me. The Hottentot that loves his mother, the untutored Bedowee, the Cave man that wears only his certificate of baptism, and the Patagonian that hangs his testamur with his scalps."

The writer of these lines is now Sir A. Quiller Couch, Professor of English Literature at Cambridge, and he correctly reflected the attitude of his own generation of undergraduates. There is indeed a well-authenticated story of a Balliol man who, after taking a degree and returning to the tropics, returned also to the practice of cannibalism, but at all events the practice of admitting strange foreigners had come not only to stay but also to spread to other colleges and to Cambridge; and this important change was due to an "administrative" decision of an Oxford Don.

When in the twentieth century Strachan-Davidson became Master of the College, he had already passed his prime and was already a little out of touch with contemporary movements. His ideal of the College was a small band of unmarried Dons and of undergraduates, drawn predominantly from the pick of the best public schools and confining its curriculum to a definite and select group of studies centring round what Oxford still calls by the appropriate Latin name of "*Litteræ Humaniores*."

In the days of his youth any one who married had to resign his Fellowship, and though celibacy was not imposed upon Professors and Heads of Colleges, a perambulator was a rare sight in the Oxford Parks, and nearly all the Dons lived and dined in College. Strachan-Davidson never married, and he always held to the ideal that a Don should live both for and in the College. But although the tide of change in this and other University matters had swept past the point at which he had once been himself an innovator, his very lovable personality never allowed him to become a leader of reaction, and in one particular sphere the mantle of Jowett had fallen on his shoulders; both before and after his election to the Mastership he continued to wield, with excellent judgment, the influence which Jowett had exercised over the policy of the Civil Service Examinations. This influence was always directed towards securing that the candidates selected, whether for Indian or for the Home Service, should be men of a broad and liberal education rather than men prematurely trained as specialists, and, above all, that the crammer's sphere should be restricted as far as possible.

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It was a misfortune both for himself and for the College that his term of office did not arrive earlier in his career ; in fact, the history of Balliol under its last four Masters is an object lesson in the need for a superannuation rule, with its necessary corollary, the provision of a pension on retirement. In all four cases it would have been better if the Master could have been appointed younger and retired some years before his death. In future, thanks to the report of the Universities Commission, the average age of the Heads of Colleges will gradually diminish until none of them exceed three score years and ten.

The Origin and Development of the Civil Service

By G. H. STUART BUNNING, O.B.E., J.P.

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THE Civil Service may not inaptly be likened to a great ship and Civil Servants to its crew, but historians have been so impressed by the stateliness of the vessel, its argosies, its perils, and its ports that they have almost ignored the crew, and only occasional references will be found to Civil Servants in general histories, though the subject has occupied such minds as those of Pitt the Younger, Macaulay, and Gladstone. It is, therefore, unnecessary to apologize for this lecture which divides itself more or less into two sections, each so complicated and important that neither can be treated adequately in a single paper. Yet both must be touched upon to make it intelligible, and I must try to present a short sketch of the origin and growth of the Civil Service as a preface to a somewhat longer one of the development of the Civil Servant.

Critics of present-day schemes of old age and other pensions wail that the strength and reliance of the nation are being undermined, and say that in olden times there was a sturdy spirit of independence, but without going into the deeper aspects of these questions it may be said that historically they are wrong with regard to the sturdy independence, for under different titles and by the use of different methods most of what we do in social matters was done in former times. Methods have changed; principle remains the same. Remember that in early times the King was actually the State. He was his own Chancellor of the Exchequer, Chief Justice, Home Secretary, Lord High Admiral, War Minister, and Head of the Church. Whether he performed all these duties ill or well is beside the question, but so simple were the problems that we are told Edward the Confessor kept the national treasure in a box under his bed. But with administration becoming more complex the King devolved many duties on others, and although nominally he retained his powers and rights in fact he lost many of them. The Church undertook education, the care of the sick, the needy, the aged, the children, and the wandering stranger, and these remained its special spheres until

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the spoliation of the monasteries by Henry VIII deprived the Church of the means of continuing its beneficent work. The Law also separated itself in practice to a considerable extent if not in theory from the King, and in essence the Civil Services resolved themselves into two branches of work, the raising of revenue and its expenditure. Money was mostly required for the expenses of the Court, such diplomacy as existed, and the waging of offensive and defensive wars. Sometimes, tribute had to be paid to a foreign country, and often there were rebellions to be suppressed. The expenses of these things came partly from the revenues of the King's vast estates, from gifts from his loyal subjects, sometimes unwillingly given, from loans, and from the sale of powers and rights.

The Church and the Law were self-supporting, and the King raised such monies as he could not provide from his private purse by a method which later came to be known as "farming," which, simply explained, is that he gave some great lord or merchant the right to exact taxes over a given district or port in return for a sum of money. The Delapoles of Hull, for example, in 1335, engaged to pay the King £20 a day, a large sum in those times, and to supply as much wine as was needed, paying themselves out of the customs duties of London, Ipswich, Yarmouth, Boston, Hull, Hartlepool, and Newcastle. Here, although, strictly speaking, the matter belongs to the second part of my paper, it may be pointed out that comparisons between the number of Civil Servants now and in former times are misleading. In the transaction with the Delapoles probably not more than half a dozen Civil Servants were engaged, but obviously the Delapoles must have employed a large number of agents to collect the duties at seven important towns. Early Kings also raised money by trading, and the modern profiteer could not improve on their methods, for it is recorded that they occasionally made a corner in goods, fixed exorbitant prices, and practically compelled their subjects to purchase.

Just one example of local interest may be added. In 1234 the townsmen of Newcastle were granted the right to "dig coals and stones" on the Castle Moor, and for this privilege they appear to have paid the King £100 a year. Perhaps the first real trading adventure of the State was the consolidation of the Post Office monopoly by James I in the seventeenth century, and enough has been said to give a very rough general idea of the duties and functions of the Civil Service in earlier days. The main difference is not in the object but in the method of pursuing it. The old system was paternal, dependent on the intelligence, the benevolence, and the needs of the monarch. The modern system is fraternal, dependent upon the intelligence and goodwill of the community.

It would be tedious to recount the various stages by which successive Departments came into existence, though it may just be stated that for many years the great Departments outside the Treasury were

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called Northern and Southern, from the fact that they divided the foreign work of Europe into those two divisions, while the Home work was done by either or both.

The War Office, however, presents an interesting feature. The term Secretary for War is now familiar to every one, but down to 1855 the usual title was Secretary at War, and this small change notes an extraordinary change of national outlook. In earlier times the Army in peace was practically a police force and was administered by the Treasury. It apparently occurred to no one that war was something which had to be provided for beforehand, and even the Duke of Wellington, with his great experience and reputation, allowed many necessary things to be abolished, with disastrous results in the Crimea. The Secretary at War, therefore, was an officer who worked with feverish activity during war-time and did nothing in peace. That this was tragic as well as farcical was only dimly realized till the horrors of the Crimea brought it home to the nation, with the result that a Secretary of War, or, as we say now, a Secretary to the War Office, was appointed, and modern War Office administration was born.

I must now turn to the other branch of the subject, and its importance has been neglected by the historian, who has written of changes often without fully realizing that it is a fine point whether great upheavals have been caused so much by bad laws as by bad administration. Bad laws cannot be made good ones, be they administered never so wisely, but they can be made infinitely worse by corrupt or inefficient administration, while good ones may be administered wrongly or not at all. At the International Labour Conference in Washington in 1919, I was asked to help a foreign representative to get a certain labour recommendation for his country and expressed my surprise, as their law, in some ways, was superior to our own. He said that if all I wanted was paper satisfaction, I could have reams of it, but in fact the provision for administration was such that the law was a dead letter.

Good internal government depends upon three things: (1) Sound laws. (2) Proper instructions to get them carried into effect. (3) A machine, i.e. a Civil and Municipal Service able and willing to do its work. Let us see what has been done to carry out the last condition so far as the Civil Service is concerned.

When the King was literally the Chief man and ruled over a small kingdom, he was his own Civil Servant. He demanded what he required from his subject personally. He got it or he did not, and in the latter case there was usually a change of King or subject. It was simple, and on the whole satisfactory, but little by little there grew a more complex system, partly through circumstances and partly as a result of the civilization our Germanic forefathers brought with them. As early as the twelfth century the King therefore appointed an officer of his house-

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hold to assist him generally in collecting revenues and to advise him as to the spending of them, though some of our kings required little help in the latter direction. Extravagance and mistakes of policy caused trouble with the great Lords or Barons on whom fell the disagreeable duty of collecting money for certain purposes, and the more disagreeable experience of seeing it expended on uncertain purposes. This was the first stage of a great constitutional struggle. Monarch after monarch was forced to grant privileges which turned his Barons into kings of their own vast estates and, what was probably more galling, to permit them to make nominations to all the important and many of the less important positions in his Household. There must have been continual bickerings between the men the King appointed personally and those who, while nominally appointed by him, were in reality the watch-dogs of some great Baron, and it is an open question which of these two were the earliest Civil Servants, but as the Barons, however inadequately, did represent the rights of the country, their nominees approximate the more closely of the two to our modern Civil Service. The first consideration for employment was fealty to King or Baron, but it should not be assumed that fitness, in our modern sense, had no place. The rolls of the Public Record Office display an astonishing amount of skilled work, and as the King and the Barons were really pitting their brains against each other, it may be assumed that both would exercise some care in selection. It was not in these but in later times that the Service was both corrupt and inefficient. Nomination, or Patronage as it became more generally called, produced evil results, and as the work grew either the supply of efficient people broke down or the patrons, royal or noble, became less careful, and as there grew up the practice of selling actual posts, which was a natural result of selling the right of patronage, the burden of the Civil—or rather the King's—Service, for Civil Service is a modern term, grew harsh and oppressive.

For the first reform we must look to Magna Carta, and the 45th Clause lays down that no one shall be appointed as justice, constable, sheriff, or bailiff unless he knows the law of the land and means truly to observe it. This is the first recorded instance of the realization of the necessity of technical qualification, and coming in Magna Carta its importance cannot be overstated. Not only that, the Barons set up a Council to see that the King carried out their wishes, and John was under no illusions on the subject, for he gnashed his teeth and moaned that twenty-seven over-kings had been established. Of these early times there are two undoubted relics and one which is not quite so clear. Nowadays, the Civil Servant is the creature of Parliament, but of the three Estates, the King, the Lords, and Commons, only the last is of any real importance, except in so far as peers may be Ministers, while Parliament has in practice almost divested itself of its powers with regard to recruitment

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in favour of the Civil Service Commission. Nevertheless, the Civil Servant is still legally a member of the King's Household, dismissible at pleasure and with no remedy in the ordinary Courts even if dismissed wrongfully. The second is the importance attached to the title "clerk," which means much more in the Civil Service than in the commercial world. Originally "clerk" meant a clergyman, and the earliest Kings' servants were almost wholly of this class. This does not mean that they were priests, for many of them had only taken the "minor tonsure" and never intended to go farther, but it did mean a certain standard of education in days when education was a rare thing, and it gave them some privileges of great value, such as the right to be tried for offences in their own courts. The third is the postman's Christmas Box, a relic of the days when a civil servant's salary was of no value compared with his gratuities and commissions.

There is no time to study in detail the changes of some centuries, and it must suffice to point out that laymen acquired sufficient education to get into the King's service, and that step by step the power of the monarch over the machine was lessened in favour of that of Parliament. Not without great conflicts, though, and considerable hardships on the service, for during that long period, Roman Catholic, Protestant, Non-conformist, and Jew were excluded at one time or another or all the time, and the first condition of retaining office was loyalty to the existing power in every sense of the word, a matter of extreme difficulty when that power was always shifting and when, as sometimes happened, there were at least two powers at once. Our gradual change should be noticed. The great modern party political offices of Chancellor of the Exchequer and so on were formerly held by men nearly akin to our permanent heads of departments, but slowly became more or less what they are now. By the middle of the eighteenth century the long constitutional struggle was nearing its close, and Parliament had practically secured control of the administrative machine. Then it turned its attention to the abuses of the Civil Service. It was high time! An American writer attributes this action to the innate probity of the British people, but in this I fear he is too complimentary, for the public conscience is lax in such matters. The compelling motive seems to have been that the evil had grown too great to be borne, and that in some ways it was becoming too costly to the patron to be useful. Moreover, the number of Civil Servants was increasing rapidly and from two causes. Trade with India, America, and the Continent had grown enormously, the industrial era had begun, and departments were now fairly numerous, while the old system of "farming" departments by which the farmer bought the right to levy duties or give a public service, such as the Post Office, and employ his own people, was giving place to direct employment by the State. Only in part was this being done, for in some departments the staff were

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employed not by the State but by the Head of the Department and were paid by him on a system analogous to that now known in the Post Office as "allowance to postmaster," but without any of its safeguards. Still, there was sufficient data to give Parliament some idea of the number and real cost of the public service. The figures alarmed the House, or one should say alarmed William Pitt the Younger, who is entitled to be called the greatest Civil Service reformer. It was indeed the utter rottenness of the Civil Service which caused its reform, and, until one considers the perfectly natural causes, it appears singular that the effect of the constitutional changes referred to was to debase the service in every direction and make it a vast engine for public robbery. Yet the reason is very simple. So far the fight over the service as apart from the services had not been against patronage but for the power to exercise patronage, and in the days when the privilege was confined to a few, some care would occasionally be taken in selection, and in any case the pack of wolves was small and fairly easily gorged. But when the King, the Lords and Commons, the Government and the Opposition, together with ladies of doubtful reputation and men with none, were all entitled to patronage, it is clear that the number of capable men who would get into the service was few and their entry accidental.

The qualification for a post was to be useful in some way or another to a man or woman who had influence, and so great was the press of office-seekers that poor indeed was the post which was neglected by them. The evil might have been checked had it stayed at entry, but it did not, for office-holders frequently paid an annual rent for their posts, and still more frequently lay under the obligations of obeying their patron's behests while in office. Did the Government want to win a doubtful election, what so easy as to create a number of posts in the Civil Service and send the new officers in batches to vote for the Government candidate? The evil was therefore one of appalling magnitude, and fortunately it brought about quarrels among the patrons. Be it remembered that when a patron seeks a post for a follower he is almost always seeking something he has already promised, and when he fails he is not only disappointed himself but has a disappointed follower to reckon with—and the alternative may be to provide compensation out of the patron's own pocket, for an applicant is not always fobbed off with a polite excuse. Thus patronage was on the way to cure itself, but among the things it had bred were actual dishonesty and corruption, the holding of several posts by one man, the system of deputies and sinecures. The difference between the last two had better be explained. A sinecure is, of course, a post which exists only in name, but carries either honour or money. A deputy post differed in the fact that the post actually existed and the work was done, but not by the person who drew the pay. A post having been bought or acquired, a deputy was em-

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ployed at a low wage, the nominal holder of the post never doing duty at all, indeed he literally had a job where he did no work and his money was sent home.

The holding of a number of posts was common, and it is not easy to see how the same man could perform all the duties, but in the circumstances of the time it is not impossible, for some offices only opened on two or three days a week and then only for four or five hours.

William Pitt has been rightly praised for his public virtue and for giving up large gains which he might have made, but when historians write thus it has to be recollected that poverty is a relative term. The Report of the Finance Commission published in 1803 shows that he was First Lord of the Treasury, i.e. Chief of the Civil Service, and had held that post in 1797 for a number of years. His salary was £5,622, but nearly 20 per cent. went in taxation, so a grateful country relieved him of £400 of taxes in order that his net salary should be £5,000 a year. Then he did not consider it beneath his dignity to accept £38 11s. as New Year's Gifts. In addition he was Chancellor of the Exchequer with a salary and more New Year's Gifts, amounting, all told, to over £2,000, and after that Warden of the Cinque Ports, which brought him another £3,000 or so. But the Report does not give all. He would certainly have one or two free residences, coals, candles, and probably servants, while as a Member of Parliament he would be entitled to free postage, no inconsiderable thing in those days. The total could scarcely have been less than £11,000 a year, and if a Minister, who was rightly praised by his contemporaries and by historians for probity, could act in such a way, it is striking evidence of the state of the public service. No wonder the Report is spangled with instances which range from improper use of public monies to sheer robbery. One or two may be given, but I ought to observe that the Committee whose Report I am quoting was by no means the first, and some reforms had already been effected, but in one case, an expense of £750 a year for certain returns which were admitted to be useless had been calmly continued for twelve years and the Committee could ascertain no reason.

A Mr. Stanton, who was forty years of age, had his office declared unnecessary and retired on a pension of £600 a year, his normal salary being £687, and a Mr. Potts was still more fortunate, for his salary was £336, but his pension was £700, the amount being explained by a friend of his "recollecting" that Mr. Potts made a good deal of money out of certain privileges. An even more extraordinary case was that of a lady who held the post of Housekeeper at a salary of £78 and managed to get away with a pension of £160. But the most curious case of all was that of a gentleman whose three or four salaries were returned in full to the Treasury, with a request that he might be granted two-thirds of them as pension. The Treasury agreed, omitting to notice that some of his

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salaries were for life, and so the net result was that he received a trifle more pension than pay. Now for the strange tale of Anthony Todd, Secretary to the Post Office. One of the earlier Committees had unkindly reduced his salary from £4,000 to a little more than £2,000. Whether this incapacitated him I do not know, but he fell ill, and Francis Freeling was appointed Joint Secretary. The arrangement was a peculiar one. Todd drew all the pay and Freeling did all the work, except in one particular. In those days the Post Office owned its own boats, and Todd still attended to this part of the work. As Secretary he decided what boats were required, how much they ought to cost, and the other expenses incidental thereto. Having decided that, he, as Secretary, wrote to himself as Contractor for the Boats, an arrangement which had obvious advantages, for I apprehend there would be no delay in reply and probably no higgling as to terms. Anyway, the result was that Todd made a profit of about £5,000 a year, and the Commission speaks very severely about it. Another evil was that vast sums remained in the hands of the Tax Receivers from the chiefs down to the collectors, and that they were often used for private speculative purposes is fairly clear.

In Scotland the Receiver retained about £30,000 practically permanently, and incidentally the Committee report their feeling that the Tax Collectors did not take the trouble to visit out-of-the-way districts, but just reported them as "arrears." Defaults of large amounts were common. Nearly £4,000 was lost in Huntingdon in 1779 and only about £1,300 repaid. In Scotland John Fordyce defaulted for £90,000, his successor for £75,000, and his successors for £49,000. Some of these sums were paid off, and it would be thought that after John Fordyce steps were taken to prevent a repetition, but under the patronage system this was impossible and the defaults just continued; indeed, in some cases the elementary precaution of insisting on the partial protection of sureties was not carried out.

In this general atmosphere of slackness it was natural that office hours should be fixed for the convenience of the staff and not that of the public, that absences should be frequent and holidays numerous. These last varied enormously. Some offices reported there were none, but whether this is to be taken literally is another matter. Many reported from forty-five to fifty-six days a year, irrespective of days on which the offices were not open, apparently on the ground that if there was no work staying away could be no holiday. These absences were usually of one day, more than this being rare, and were made up of religious and royal festivals. "London Burnt" seems a peculiar day for a holiday except for the reason that any or no reason is reason for a holiday. Of the Royal holidays many had been fixed in Stuart times, and when William drove out James a fresh lot of holidays were kept, but the Civil Service

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made the best of both dynasties, and added the William holidays to those of the Stuarts.

The Committee I am discussing issued thirty-six reports, and I have examined twenty-two of them, but although they were obviously alive to the causes of the trouble, nowhere have I discovered a condemnation of patronage or sinecures as such, and only an oblique condemnation of "deputy posts." Before one condemns them for cowardice it is necessary to remember the times. In days when the King could make a Bishop of his infant son, when babies in their cradles were given well-paid posts as though they were rattles, when seats in Parliament were practically put up to auction, while commissions in the Army and livings in the Church had a market rate, it was necessary to move warily or their recommendations might have been destroyed by their own violence. It was therefore probably prudence which dictated their action, and proof of this is found in Pitt's conduct regarding India. The scandals unearthed by the trial of Warren Hastings had so strengthened his hands that Pitt established a Governmental Board of Control over the East India Company, which till then had exercised sovereign powers, but even Pitt dared not take away their patronage, except in a very few cases. Short of absolute condemnation the Committee did much. They spoke with generous approbation of those departments which were fairly well managed and praised those which had profited by the previous Committees. They approved the newly-established plan of the Customs, whereby entrants were put on probation and examined before taking up any important duty, they recommended direct instead of indirect employment, proper times of opening offices and keeping them open. Security of tenure and pensions were suggested, which is perhaps a better word than recommended for all they did, for their powers were very limited, and they even favourably discussed a parcel post, nearly a hundred years before its actual establishment.

In most of their suggestions they made difficulties for the patronage man. The first things he desired were pay and privileges; the last things work and deprivation of opportunities of gain. The political situation also helped, and Civil Servants were deprived of the franchise. I have seen it stated that they petitioned to be deprived of the vote, but have found no evidence of this, but whatever its origin the new law lessened the advantages of patronage. Some few years passed before the results of the Committee's work were appreciable, but in 1810 and 1816 Acts were passed giving Civil Servants something like security, while Pensions were more freely granted, although in ways more or less unsatisfactory, while the term Civil Servant came to have its modern meaning. The first use of this term I have discovered is in the Report issued in 1803, but dated 1797, but the term did not come into general use till after 1854, and Professor Tout is probably correct in thinking that

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this was due to Charles Trevelyan, to whom the term was familiar in India. Other influences were at work, and one of them has its humorous aspect. Officers who had entered the service by patronage were beginning to object to it. Not for themselves, of course, but for their subordinates, who were frequently unable and still more often unwilling to work. All the children of patronage were not evil. Some were both able and conscientious, and, almost better still, were acquiring a love for civil service work and a sense of public duty. So the example of the Customs Department in introducing examinations for men already in the service was improved upon to a small extent by "pass" examinations for candidates, and where there were several candidates this did at least secure that the service got the best of a bad lot. It was not general and obviously of no avail where, as frequently happened, there was only one candidate. Two examples of its inadequacy may be cited. Anthony Trollope, the novelist, was nominated for the Post Office, and accompanied by his brother went for his pass examination. He was given a simple piece of copying and made so many mistakes that even an old-time chief was horrified, but the view was taken that the lad was nervous and he was sent home to copy it again. He arrived next day with his fresh copy, but was at once shown to his desk and the paper was never asked for. Trollope has the reputation of a distinguished Post Office man, but had he not had the sense to be on terms of personal friendship with a Postmaster-General and the wit to be brother-in-law to a Secretary of the Post Office, there would probably be another story. Lewin Hill, who became Assistant Secretary to the Post Office, was fortunate in being the nephew of Rowland Hill. He procured a nomination from Lord Canning, and on going up for his "pass" was asked whether there was anything special he knew. For a moment he was floored, and then pulling himself together replied that he knew some Spanish. The examiner did not, and Hill passed with honours. More than forty years later Hill defended the old system of entry before the Tweedmouth Committee, and in the circumstances this is not surprising. Simple patronage still prevailed in many parts, but by 1850 changes, which in every sense were improvements, had been effected. There was more security of tenure, sinecures were disappearing, pensions had become more general, the growing complexity and extent of legislation had of itself weeded out a certain number of incapables, and patronage, though holding on bravely, was losing many of the things which made it valuable.

While, therefore, every credit should be given to the magnificent Reports of 1853 onward, it is not correct to speak of them, as is sometimes done, as though they were miraculous. They were, in fact, very rapid and extensive stages of an evolution which had commenced sixty or seventy years before, and indeed had its root in Magna Carta. Subject to this qualification it is impossible to overvalue the work of Stafford

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Northcote and Charles Trevelyan, backed up by Gladstone, Macaulay, Jowett of Balliol, and many others. Even they did not dare to abolish patronage, but they cropped it so close that in the end it died of inanition. Their reports are remarkable both for their courage and vision. Courage, because they were opposed to the Treasury, most Ministers, and many members of Parliament, and, of course, to those who benefited, directly or indirectly, by patronage. Vision, because they saw so clearly the advantages which would accrue not only to the Government, but to the country. Briefly summarized, their recommendations were that a good general education should be insisted upon, the successful candidates being thereafter trained for their work, although to this there were exceptions, that practically all posts should be permanent, i.e. pensionable, that it should be easier to obtain nomination, and that in order to secure public confidence and, although they do not explicitly say so, to prevent corruption, an independent Board of Examiners should be established. It would be extremely interesting but time will not permit us to traverse the many difficulties which arose over the Report, but in the end it was accepted, and in 1855 the Civil Service Commission was established and was later followed by the Pensions Act of 1859, which abolished contributions from Civil Servants and greatly extended the practice of pensions.

It must not be assumed that this was the end of Patronage or its ill consequences. The Heads of Departments enjoyed discretion as to what posts should be submitted to open competition and did not always use it wisely, but enlightened public opinion was strongly in favour of the new system and many improvements had been effected by 1860, but much evil was left.

Robert Lowe, ever a friend to open competition, wrote to Gladstone in 1869, asking him to bring the question before the Cabinet in order to remove the abuses still left, and John Morley records that Lord Clarendon and, strangely enough, John Bright were against Gladstone and Lowe. But the fertile mind of the Prime Minister found a way out and it was decided that all branches of the Civil Service should be thrown open where the Minister approved. Only Clarendon at the Foreign Office stood out. And Morley writes :

"It was true to say of this change that it placed the whole educated intellect of the country at the service and disposal of the State, that it stimulated the acquisition of knowledge, and that it rescued some of the most important duties in the life of the nation from the narrow class to whom they had hitherto been confided."

We have seen the changes brought about in the Civil Service, but it is easy to miss the importance of Morley's phrase as to the stimulation of the acquisition of knowledge. Formerly, it is hardly too much to say that education was looked upon as a luxury or an arduous pastime

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with little or no relation to earning a livelihood. True, the clerk must know how to read and write, the lawyer was none the worse for a little law, and the merchant must be able to cast his accounts, but these things were regarded rather in the light of craft training than as education. When the State made general education a portal to a livelihood, the consequences foreseen by Jowett followed, and parents took more interest in the education of their children. The candidates turned out by the Civil Service Commission were so successful that Banks, Corporations, and Railway Companies instituted examinations. Teachers were also examined, and a report on the earliest examination may be amusing. "The females (that is, the successful women) have been so far advanced in mental power and influence as to have been lost to the service by matrimonial engagements obtained with exceeding rapidity." Then follows this extraordinary and most ungallant wail: "To avoid these losses, plainer candidates were selected for training, but they, too, have attained preference as wives to a perplexing extent."

It may be argued that Selection Committees and nomination by Universities are reversions to patronage and that there are still one or two loosely fastened doors, but generally speaking the principle of open competition is accepted for first entry into the Service, and there can be no question as to its beneficent results. It has had great influence on commerce, on general education, and on the administration of every municipality and trading enterprise, not only in this but in other countries. That the Service and Civil Servants have their defects is true, but the great reforms of Northcote and Trevelyan produced a system which has stood not only the strains of modern legislation and outlook, but of the Great War.

This paper would not be complete without an appendix respecting the employment of women, for the part the Civil Service has played is neither fully known nor appreciated.

A well-known book of reference used to have a paragraph saying that women were first introduced into the Service in the early 'seventies by Mr. Scudamore, then Postmaster-General. It is one of the most inaccurate paragraphs in the world. Women were not first introduced in the early 'seventies, they were not brought in by Mr. Scudamore, and he was never Postmaster-General. Women have been employed in the Civil Service for centuries, mostly in subordinate positions, and during the eighteenth century some of them were known by the curious titles of "necessary women," which, I think, really meant cleaners or charwomen, but there were a number of postmistresses and of Official Housekeepers, with fairly important posts. The early 'seventies are, however, important dates, for it was then that women acquired a regular status, and it came about in a somewhat casual fashion. On the transfer of the Telegraphs from the Companies to the State a number of women were on the Companies'

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staffs, so the Post Office set up a committee, presided over by Mr. Frank Scudamore, who was an Assistant Secretary, to decide what was to be done with them. Mr. Scudamore reported entirely in favour of the employment of women, but whether some of his reasons would commend themselves nowadays is doubtful. An opponent of women's employment had said that the men would be jealous, and would refuse to help the women in any little difficulties which might arise. Scudamore, who seems to have studied psychology, replied that in practice men would be found more ready to assist women than to help one another. Another reason he gave was that the men's language was sometimes very emphatic and the influence of the women would be a refining one.

More serious advantages he claimed were that women would be more docile than men and not so apt to clamour for more money, while as to wages Mr. Scudamore attached little importance to the matter saying that women would rarely reach their maximum, for they would get married as soon as they had the chance. The appropriate comment on all this is, that Mr. Scudamore would be considerably surprised could he revisit the glimpses of the moon. It is said, though I cannot say with what truth, that Scudamore only secured the consent of his reluctant colleagues by promising to find posts for their surplus women relatives. However that may be, his report opened the way for educated women in the Civil Service and almost certainly elsewhere, though the visible effect outside was slow in coming. With women now in almost every sphere of business, it is difficult to imagine the position of women before 1870 and indeed many years later. There was the stage, some not very well-paid teachers, and a handful of women writers and artists, but the only refuge for a fairly educated woman, with no special talents, outside these spheres, was ill-paid and badly-treated governessing.

Indeed as late as 1880, the editress of a ladies' paper, after recording the columns of advertisements for domestic servants and speaking of factory workers, had to advise a correspondent that there were no openings for women of the middle class, and all she could suggest was the taking in of embroidery or fancy stitching. The women in the Post Office were a success, and were employed in various branches, among them the Returned Letter Office, where for a long time there was a rule that they must not be permitted to deal with letters containing valuables, though I have not discovered the reason for this curious regulation.

The Civil Service, therefore, is entitled to claim pioneer honours in the upward movement of women's work, and indeed when the typewriter was a primitive instrument some of them were installed in Government offices. One Chief giving evidence before the Ridley Commission in 1885 testified that there were some young women in his Department who copied documents by means of an American machine, and said they could copy as fast as he could write, adding that he was a very fast writer.

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Women were employed on counter duties in the Post Office, and later on clerical duties in one Department after another, until now there are many thousands of them, and some holding responsible posts at the Treasury and elsewhere.

I must close as I began with an apology for the scrappy nature of this paper, but I hope I have conveyed some information as to the origin and development of the Civil Service.

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The Functions and Organization of the Home Office

By SIR EDWARD TROUP, K.C.B., K.C.V.O.

Under Secretary of State in the Home Office, 1908-1922

[A paper read to the Institute of Public Administration on 17th December, 1925]

THE Home Office has, I think, some features which should make it of special interest to the Institute of Public Administration. It is the oldest of the administrative departments¹ concerned in the domestic affairs of the country, and historically it is the parent of nearly all the others. While the other departments have been created by Acts of Parliament, each for some specific purpose or purposes, the Home Office has grown up with the growth of the British Constitution, and it is responsible for all matters of domestic administration not specifically assigned to any other department. Hence it has to deal with a long list of diverse subjects, some large and some small; and there is no type of administration, whether wholly national, or partly national and partly local, or partly national and partly voluntary, of which it cannot supply examples on a greater or less scale.

Historically the functions of the Home Office fall into two groups—those which the Home Secretary derives from the ancient prerogative powers of the Crown dating back to a period anterior to Parliamentary government, and those which have been conferred on him in more recent times by Parliamentary legislation. I shall refer to their history, interesting as it is, in only a few words.

The King's Secretary was originally a humble officer attached to the King's person—described by one of the Plantagenet kings as “the beloved clerk who stays continually by Our side,” and having the same precedence and pay as the King's Surgeon and the Clerk of the Royal Kitchen. But, like competent private secretaries of more modern times, he tended to assume to himself some of the powers of his chief; and gradually, in the course of centuries, he established a constitutional right to be the sole channel by which the subject approached the King or the King communicated his pleasure to his subjects. By the time of Henry VIII he had acquired the title of “Secretary of Estate,” and had become the most powerful officer in the realm. When his functions

¹ The Lord Chancellor's Office is older but is mainly a legal office, and the Treasury is mainly a financial department.

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became too great for one man, two Secretaries of State were appointed, who, however, held only one office, each being endowed with all its powers and privileges, and exercising its jurisdiction both at home and in foreign affairs. In the time of James I the jurisdiction in foreign affairs was divided, one Secretary of State taking control of relations with the Northern Powers of Europe, and the other with the Southern Powers : while they continued to share domestic business and to compete with one another for such portions of it as brought large fees to the holder. The artificial division of Northern and Southern Departments was maintained for more than 150 years, though long before the end of that time the staff, the work, and the records of the Secretariat had fallen in practice into two divisions—the Foreign and the “Domestical.”

It was in 1782 that the Home Office and the Foreign Office came into being as distinct offices with separate Ministers in charge. When Charles James Fox became a Secretary of State in the Rockingham Ministry, he took all foreign affairs for his own province, leaving to his colleague, Lord Shelburne, all home affairs together with such fragments of Colonial affairs as had been left by the American Rebellion. The Home Office as a department of state dates therefore from that year. It then included in its local jurisdiction not only England and Wales, but Scotland, Ireland, the Channel Islands, the Isle of Man, and the surviving colonies. Within this wide area, however, the powers exercised by the Home Secretary were few compared with the vast mass of statutory powers which were to be conferred on him by later legislation. His only powers were, with few exceptions, those which had arisen from the position of his long line of predecessors as secretaries and advisers to the King, and which by this time had become so fully established as to be recognized as part of the constitution. They fell, broadly speaking, under three heads :

First, he was the channel of communication between the subject and the Sovereign. He received, submitted to the King, and answered petitions from the subject ; and even addresses from Parliament passed through his hands, as they still do.

Secondly, he was the King's adviser in the exercise of his Prerogative Powers, such as the Prerogative of Mercy, and his prerogatives as head of the Church and of the Army.

Thirdly, he issued, on behalf of the King, instructions to officers of the Crown—Lords Lieutenant, Magistrates, Governors of Colonies, and others—and sometimes also to local authorities. One of Shelburne's first acts was to call on the Mayors of the chief towns, in the King's name, to enrol volunteers for the national defence.

All these powers, except those relating to the Army, still remain, though for the most part restricted in local jurisdiction to England and Wales, the Channel Islands, and the Isle of Man. They include two of

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the most important and difficult functions which devolve on any minister—the Prerogative of Mercy and the Maintenance of the King's Peace—and many duties, some of them merely formal, connected with Crown appointments, the grant of honours, and questions of title and precedence: but taken together they constitute hardly one-tenth of the substantial work of the present-day Home Office.

The great bulk of the work arises under the second head—the extension of the Home Secretary's powers to new matters by Acts of Parliament following one another in long series. These would have created a burden greater than one department could have carried, had they not been to some extent balanced by other Acts which have transferred to new departments powers and duties which had in the first instance been conferred on the Home Department.

I will mention in historical order a few of the chief statutory functions. The first is the Control of Aliens, which was instituted in 1793, just after the rupture with France, was maintained with increasing stringency during the Napoleonic wars, but was gradually relaxed until by the middle of the nineteenth century it had wholly disappeared, to be revived in a weak and ineffective form in 1905, and in a thoroughly effective form on 5th August, 1914.

When the Napoleonic Wars were over, Parliament slowly roused itself to deal with the crying evils which had followed in the train of the Industrial Revolution and the concentration of population in the great towns. Prison Reform was the first problem taken in hand; it was dealt with by Sir Robert Peel in his Prison Act of 1823, "the first Act of general prison reform framed on the responsibility of the national executive." From that time the history of English Prisons has been one of continuous extension of Home Office control, until in 1877 all prisons were taken over by the Government and the Home Secretary became the universal gaoler. Under powers given by later Acts the prisons have been converted from mere places of punishment to institutions which have the reform of the criminal as one of their main purposes.

In 1829 came another great Act of Sir Robert Peel's which provided for the extinction of the seventy separate police authorities of the Metropolis—most of them extremely inefficient—and the establishment of one large disciplined and uniformed force which became the model of all police forces in this country, and of innumerable police forces in the Colonies and abroad. The Metropolitan Police were a Government force for which the Home Office was wholly responsible; but, when smaller forces were established in boroughs and counties, they were left under local administration with some degree of Home Office control—a control at first very limited, but gradually extended by Parliament until, under the Act of 1919, the Home Secretary, after consultation with the

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Police Council, makes the administrative regulations which bind all police forces.

In 1833 the first reformed Parliament passed an Act which brought Factories under Home Office supervision. Previous attempts to combat the appalling conditions which prevailed in factories had failed, because of the absence of effective means of enforcement ; but the Act of 1833, in addition to prohibiting the employment of children under nine, restricting the employment of older children and young persons, and making some provision for sanitation and education, provided for the first time for the enforcement of its requirements by full-time inspectors appointed and paid by the Government. This was an entirely new departure ; and the four inspectors appointed by the Home Secretary under this Act were the forerunners of the thousands on whom depends the success of almost every branch of industrial and social law. From 1833 to the present time there has been a long succession of industrial Acts, covering the whole ground of factories, workshops, laundries, docks, buildings, even home work—conferring enormous benefits on the workers, and in their final form tending to increase, not to restrict, production.

I can only name a few of the other subjects brought within Home Office jurisdiction by the action of Parliament—Mines from 1842, Naturalization from 1844, Reformatory and Industrial Schools from 1854, Extradition from 1870, Explosives after the Regent's Park explosion of 1874, Intoxicating Liquors in 1904, Probation in 1907, Shops in 1911, Parliamentary Elections in 1918, Dangerous Drugs in 1920, and at various dates Criminal Lunatics, Borstal Institutions, Petroleum, Celluloid, Cinematographs, Burials, Cremation, Fairs, Open Spaces, Advertisements, Vivisection, Wild Birds, etc. The process still continues. In the session of 1925 Bills introduced by private members have been passed which impose on the Home Office powers for the registration of theatrical employers and the protection of performing animals.

On the other hand, at various times, the Home Office was relieved of large blocks of work by the creation of new departments for specific purposes. The Local Government Board, set up in 1871, in addition to its new powers, took over all the duties of the Local Government Division of the Home Office and of the Poor Law Board, and later, when reconstituted as the Ministry of Health, took over Lunacy and Mental Deficiency. The Scottish Office, formed in 1885, took most of the Home Secretary's powers relating to Scotland except those of an Imperial character. The Board of Agriculture, constituted in 1889, assumed the powers of the Land Commissioners, previously a sub-department of the Home Office, and the charge of fresh-water fisheries, which had a few years earlier been taken from the Home Office by the Board of Trade. Lastly, in 1920, the Mines Department was formed and took over the Mines Inspectorate, with the result that the question of safety

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in mines was separated from other questions of industrial safety and welfare, and linked up with commercial and economic problems.

It may be said by a critic that I have stated the functions of the Home Office merely by way of enumeration—giving lists of functions conferred and of functions withdrawn, but without attempting to lay down on any broad principle what its functions are or ought to be.

To this the chief answer is one I have already indicated. The Home Office is the department for *all* Home Affairs except those specifically assigned, on account of their magnitude, to other departments—Trade, Agriculture, Health, Education. An American writer has described it as being "a kind of residuary legatee";¹ and elsewhere it has been called "the handy man of the Government departments." This is a position which some department must occupy and historically it belongs to the Home Office.

It is possible, if one leaves out of view the ceremonial duties and numerous functions which may be conveniently grouped under the head of "Public Morals and Amenities," to say that in the main the Home Office is "the department of Justice and Public Safety." This description covers its most important functions, but it is unsatisfactory because there are many matters of Justice and Public Safety that do not belong to the Home Office. The Home Secretary has no powers of importance relating to civil as distinguished from criminal justice, and he could only become the Minister of Justice by taking over many of the Lord Chancellor's powers. Lord Haldane's Committee on the Machinery of Government attempted on paper a reconstruction of the Office on this basis; but Lord Haldane's devotion to his own office was such that, instead of giving to the Home Secretary the full powers of a Minister of Justice, he even proposed to transfer to the Lord Chancellor some of the essential powers of such a Minister now exercised by the Home Secretary. If there is to be a logical re-division of the powers of Government departments, the Lord Chancellor is the great anomaly that should be dealt with first. He should cease to be Speaker of the House of Lords, he should cease to be a Minister and a member of the Cabinet, and he should pass on to the new Minister of Justice all his administrative powers in relation to the Courts; the Lord Chancellorship could then be combined with the office of Lord Chief Justice, making the Lord Chancellor the greatest of judges and the permanent head of the Judiciary. That would be the logical arrangement, but I am far from advocating it. I attach great importance to the historical development of the offices of Lord Chancellor and Home Secretary. I see some advantage in the triune position of the Lord Chancellor as Speaker of the House of Lords, head of the Judiciary, and Cabinet Minister. I see some advantage also in the

¹ *The Governance of England*, by A. L. Lowell, President of Harvard University. The functions of the U.S. Minister of the Interior are almost equally diverse.

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division of the functions of Minister of Justice between the Home Secretary responsible to the House of Commons and the Lord Chancellor in his relatively independent position in the Lords.

I should, however, be going outside my subject if I stopped to discuss the impossible problem of dividing the affairs of Government into water-tight compartments. I leave it at this: the functions of the Home Secretary are the administration of criminal Justice except as regards certain functions reserved to the Lord Chancellor, and all questions of Public Safety except those questions which cannot be separated from the general administration of Railways, Road Transport, Mines, etc.; together with a vast number of minor functions which belong to him or have been conferred on him as originally the Minister for all domestic affairs

II

I now pass to the organization of the Office.

The head of the whole organization is, of course, the Secretary of State, responsible in different ways and degrees to the King, to the Prime Minister, to the Cabinet, and to Parliament. He has no board like the Board of the Admiralty or the Army Council—bodies well suited to secure devolution and co-ordination only in a great homogeneous department; nor does he hide his identity behind a mere nominal board such as those that give a fictitious appearance to the proceedings of the Ministers of Trade and Education. His chief departmental advisers are his permanent Under Secretary of State, who is responsible to him for the whole of the Office work, his Assistant Under Secretaries of State, and the heads of three important Sub-departments to be mentioned presently.

The administrative work of the central office is carried out by seven divisions, each in charge of an Assistant Secretary with a staff of four or five administrative and four or five clerical officers. The distribution of work between these seven divisions is a problem somewhat different from that which presents itself to most other departments. In most offices large bodies of work, which are intimately connected and must be carried out in close co-ordination, have to be separated and distributed among the divisions. In the Home Office, on the other hand, there are thirty or forty separate subjects, some indeed closely inter-connected, others wholly distinct and self-contained, and these have to be distributed to a small number of divisions, as it is clearly impossible to have a separate division for each of them. What has to be aimed at is so to distribute them as to bring together those which are nearly allied, and to give to each head of a division an approximately equal amount of responsible work. As at present arranged, four of the divisions take each a single closely connected group of subjects, but two divisions have each to take

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two distinct groups, while the seventh division takes all the rest—a score or more of disconnected matters.

The seven divisions are officially designated A, B, C, D, E, F, and G.

"A" is the Industrial Division, whose work includes Factories and Workshops, Shops, Truck, and Workmen's Compensation. The Factory Inspectorate with its staff of 200 Inspectors is attached to this division.

"B" is usually described as the Aliens Division—its main work being the Control of Aliens, Naturalization, and the complicated questions of Nationality. Attached to it is the Aliens Inspectorate with its Immigration Officers at the chief ports. But to this division also belongs another and entirely distinct subject, namely, Intoxicating Liquors, and its head is Chairman of the State Management Council, through which the Home Secretary carries on his work as brewer and publican in the Carlisle area.

"C" is the Criminal Division, which deals with Pardons and remissions of sentences, Prisons and Borstal Institutions, Broadmoor and Criminal Lunatics—in fact, all criminal matters except Police. In the consideration of questions of sanity it has the assistance of two experts in Lunacy, and for toxicological questions two chemical analysts and two medical advisers.

"D" is the Children's Department—dealing chiefly with Industrial and Reformatory Schools, Probation and the employment of children elsewhere than in factories—also with the international questions of White Slave Traffic and Indecent Literature. Attached to this division is the Schools Inspectorate. But this division has also an entirely distinct and separate function as the Establishment and Finance Division.

"E" is the division for all subjects not assigned to any other division. Its heaviest sections of work are those connected with Local Bills in Parliament, Parliamentary Elections, and the control of Dangerous Drugs. The others, ranging from the appointment of Bishops to the protection of Wild Birds, are too numerous to mention. Attached to it are the Inspectors of Explosives, Dangerous Drugs, and Vivisection.

"F" is the Police Division. Before the War, police work belonged to "C" division—but during the War police duties rose to such importance, and required so much central control, that a separate division had to be constituted; and after the War it had to be continued because of the increased control of police administration imposed on the Home Secretary by post-war legislation. Its other concerns are the War Book, Emergency Duties and the Maintenance of Order generally, and Fire Brigades, which in most large towns form part of the Police. Under it are the Inspectors of Constabulary.

"G" is a new division formed to deal with the relations of Northern Ireland to the Imperial Government, when Northern Ireland refused to come within the province of the Colonial Office as if it were a Dominion.

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It also takes the Isle of Man and the Channel Islands, which stand to the Home Office in much the same relation as a Crown Colony with a legislature stands to the Colonial Office.

I pass over details as to the organization of work within the several divisions; nor need I discuss the constitution of the three auxiliary Branches manned mainly by officers of the clerical grades—Registry, Accounts, and Statistics—or the “pools” of typists and shorthand typists similar to those in other well-organized offices.

But something must be said of the seven Inspectorates which form an important element in the Home Office administration, and which with their clerical staffs constitute more than half its numerical strength. The Factory Inspectorate has its headquarters in the Home Office, where the Chief Inspector and his deputies are engaged mainly in administrative work; while the general body of Inspectors is distributed over the whole of England and Scotland in ten divisions and eighty districts. The Aliens Inspectorate also has its headquarters in the Home Office, with 154 Immigration Officers at the chief Ports. The other five inspectorates—eight Inspectors of Schools, five of Explosives, and two each of Constabulary, Dangerous Drugs, and Vivisection—work the whole country from the Home Office as their centre.

The Inspectors are the eyes and ears of the department, and are constantly in consultation with the administrative officers of the divisions to which they are attached on all questions both of principle and of practice. I can remember a time when the Chief Inspectors of Factories and of Mines were jealous of any administrative control, but that attitude has long since disappeared. Before the War the head of the Industrial Division, the Chief Inspector of Factories and the Chief Inspector of Mines, used to have tea together so regularly that they were familiarly known as the “Industrial Board,” and though the Chief Inspector of Mines has now gone elsewhere, the close personal co-operation between inspection and administration which is essential to effective service is maintained in every branch.

There is one point of special interest in connection with the Factory Staff of 170 men and 30 women Inspectors. When women Inspectors of Factories were first appointed by Mr. Asquith more than thirty years ago (they were the first organized staff of women inspectors in any department), they formed a separate organization, doing indeed excellent work of their own, but covering to a great extent the same ground as the men inspectors, so that their duties overlapped. The co-ordination of their work was a source of constant trouble; and at last, in 1921, a new step was taken—the two staffs were amalgamated, a woman was appointed Deputy Chief Inspector, and two women became Superintending Inspectors; and now in one or two divisions men report to women just as in the other divisions women report to men. The arrangement was

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cordially accepted by both men and women, and though there has been a difficulty to be got over on one point the system has worked well.

There remain the three Sub-departments which are in different degrees independent offices—the Prison Department, the Metropolitan Police, and Public Prosecutions. The Prison Commissioners administer the Prisons and the Borstal Institutions, with a daily average of 11,000 prisoners and a staff of 2,700 prison officers under their control. The Commissioner of Police controls a force of 22,000 men, who maintain order, suppress crime, and perform many other duties in London and the area round it in a radius of 15 miles. The Director of Public Prosecutions conducts the prosecution in all capital cases and in many other cases of public importance.

The relations of these departments to the Home Office cannot be fixed on hard-and-fast lines, and occasionally give rise to questions of some delicacy. In the Prison administration the Home Secretary is supreme in all matters of policy, usually acting on the advice of the Commissioners, but not to the exclusion of his own administrative staff; but all details of prison administration are in the hands of the Commissioners, except where questions arise in the relations of the Prisons to other departments or to the Judges or Magistrates, or where the Home Office Staff have to consider points arising in the petitions which every prisoner has a fully recognized right to present to the Home Secretary. The Prison Department is housed in the Home Office building, and daily personal contact smoothes over all differences.

In the relations of the Home Office with the Commissioner of Police, on the other hand, there have been in the past grave difficulties. The Commissioner has large independent powers; but all his regulations and orders are by statute "subject to the approbation of the Secretary of State," and he has "to execute such duties as may from time to time be directed by him." The position was defined by Sir William Harcourt in the House of Commons in 1887. He said the Home Secretary and the Commissioner were

"confidential colleagues acting together in discharging a very important public duty. . . . It is a matter entirely at the discretion of the Secretary of State how far the principle of responsible authority shall interfere with executive action, and the less any interference happens the better. The Commissioner is the man who knows the force under him, what is its work, and how it can be best accomplished; but for the policy of the police, so to speak, the Secretary of State must be, and is, solely responsible."

With the Director of Public Prosecutions there has never, with one unimportant exception, been any difficulty. He is appointed by the Home Secretary, and on his authority undertakes certain prosecutions, including so-called political prosecutions, and he comes to him occasion-

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ally for directions or advice ; but in other respects he is an independent officer prosecuting at his own discretion and subject only to guidance in legal matters by the Attorney-General.

III

Returning to the Secretary of State's Office, it remains to say something in general terms of the nature of the work involved in carrying out the many and various functions I have described.

In the main the work is administrative, including in that term both administration in its narrower sense of organization, direction, and supervision, and in its wider sense which covers executive action—the actual carrying out of laws, rules, directions, and orders ; but bound up with this there is much which may be described as legislative work, as legal work, and as financial work ; and ancillary to it there is clerical accounting and statistical work.¹

Let me first mention briefly the legislative, legal, and financial duties.

Each division undertakes duties in aid of any legislation proposed by the Government in connection with the subject or subjects with which it deals administratively. It collects the materials and prepares the instructions on which Bills are drafted by the Parliamentary draftsman, revises the drafts, consults departments and public bodies interested in the proposals, and in all stages of the Bill examines amendments and supplies materials for their discussion in Committee or in the two Houses. It also watches private members' bills and prepares materials for their discussion ; and if they pass second reading, it has often practically to re-draft them. Hardly less important is the exercise of legislative powers in subordinate matters delegated to the department by Parliament. Of such " Delegated Legislation " an excellent account is given by Mr. Cecil Carr in a volume of that title. Parliament overburdened with work has tended more and more in recent years to transfer to the departments of State the authority to make Statutory rules and orders on specified points, only retaining to itself in important matters a veto which it rarely exercises. Once and again it has happened that the House of Commons, unable to agree on some contested or complicated question, has decided to leave the settlement to rules to be made by the Home Secretary. Such delegation has two advantages—the rules can be made after an expert inquiry and a full hearing of objections impossible in ordinary parliamentary procedure, and existing rules can be modified more easily and quickly to meet new conditions or to defeat evasions than could be done by Parliament.

¹ Here and elsewhere I have quoted freely from *The Home Office in Putnams' Whitehall Series*. This was unavoidable, my subject being the same and my views necessarily identical with those of the author of the book.

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The legal work consists mainly in advising on the interpretation of Statutes sometimes intricate and occasionally contradictory ; and the administrative officers become by experience qualified to deal with legal questions of this class. There are besides three legal members of the staff, one of them an Assistant Under Secretary of State, who deal respectively with questions of criminal law, of nationality, and of workmen's compensation law ; and on questions relating to the summary jurisdiction of Justices, the Chief Magistrate is often consulted. The Home Secretary is always entitled to obtain the advice of the Law Officers of the Crown, but does so only on specially difficult points which are likely to become the subject of controversy, and on which a ruling, right or wrong, must be given. It is not the fault of the Law Officers that the Courts do not always agree with the opinions they furnish to the department. On a not very distant occasion, a Home Secretary acted on an opinion of the Attorney-General, which was afterwards supported by the Lord Chief Justice and two other Judges ; but in the final hearing by the Court of Appeal three other Judges took a different view, and so the Home Secretary was accused of wilfully acting contrary to law ! If he had failed to follow the Attorney-General's opinion and a great disaster had followed, the censures would have been louder and better justified. On another question—a much older one—successive Law Officers were consulted six times, and gave six conflicting opinions ; but in spite of this it was possible to follow in administration a safe, if very inconvenient, course.

The Financial work, apart from the normal work of the Accounts Branch, consists in preparing the Estimates and administering the Votes for the Home Office, Police, Prisons, Reformatory and Industrial Schools, Broadmoor and the Northern Ireland Services, and in the control of the Metropolitan Police finance.

But, as I have said, the main body of work is administrative ; and as the subjects of Home Office administration are many and various, the administrative arrangements present a corresponding diversity. Some parts of the work—such as those arising from the prerogative of Mercy and from the Home Secretary's powers to stop and open letters in the post—require no organization outside the Home Office itself, only a small, capable staff and adequate means of making inquiries. But most branches of the work require an outside organization—either an executive staff in the service of the Government, such as the Metropolitan Police, the Prison Officers, or the Immigration Officers ; or a Supervisory Staff like the Factory Inspectors ; or local authorities endowed with the necessary executive powers. When the executive work is given to local authorities, they stand in various relations to the Home Secretary as the Central Authority. His position may be such as to empower him to give definite instructions and directions, as in many matters of local police

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action ; or he may only be able to give advice and guidance with a power of veto, as in the making of local bye-laws or of orders under the Shop Acts ; or advice and guidance without power of veto, as in the control of cinematograph films ; or he may give instructions on some points and advice only on others. Further, he may maintain his relations with the local authorities with the aid of Inspectors, like the Constabulary and Explosive Inspectors, or only by correspondence reports and interviews, as in administering the Licensing Acts.

One cardinal rule running through all forms of administration except where a sudden emergency makes it inapplicable, is to maintain constant consultation with the bodies or persons concerned—whether other departments, or local authorities, or employers' associations and workmen's unions, or representative societies, or representative individuals ; and in such consultation personal conferences are in most cases far more useful than written communication. Questions, for instance, of nationality concern not only the Home Office, but also the Foreign and Colonial Offices, the Board of Trade and the Ministry of Labour, and their settlement used to involve interminable correspondence ; but the Home Secretary set up a standing Inter-departmental Committee composed of representatives of these offices and of the Police with Sir John Pedder the head of the Aliens Division as Chairman, and this Committee meets from time to time and secures agreement on those questions which concern all, or more than one, of the departments.

For the making of Police regulations a more elaborate machinery is necessary. Under the Police Act of 1919 the Police Federation was constituted, composed of all members of the Police Forces below the rank of Superintendent, and acting through annual conferences of representatives of each rank elected from every force. These conferences are free to discuss all questions of police administration (other than promotions and the exercise of discipline), and they choose nine of their number, three from each of the ranks of Inspector, Sergeant, and Constable, to represent them on the Police Council. The Police Council is composed of these nine, of representatives of the Superintendents and Chief Constables, and of representatives of the County and Borough Police Authorities, and of the Commissioner of Police. The Home Secretary or the Permanent Under Secretary presides at its meetings, and no Police Regulation can be made or altered until the Council has been consulted, though the final responsibility of making or amending rests in the discretion of the Home Secretary.¹ In practice the arrangement has

¹ There have been criticisms of the power thus given to the Home Secretary to prescribe the rates of pay and conditions of service of local police forces. It has even been quoted as an example of the "extension of bureaucratic control." But the duty in question was undertaken by the Home Office most reluctantly, on the demand not only of the general body of police but of the chief local police authorities, who were anxious that conditions should be imposed by the Home Office which would stop the competition among themselves in the recruiting of their forces.

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worked well. It affords the Home Office ample opportunity of learning the views of all the constituent sections, and the Council has been able after discussion to offer unanimous advice on all save a very few questions. A regulation, for instance, containing a complete list of disciplinary offences was after a full discussion accepted unanimously.

In the same way the Factory Act procedure for making regulations for dangerous trades or processes combines the fullest consultation of the interested parties with the final responsibility of the Secretary of State. All proposals for making or amending such regulations are at an early stage discussed by the Chief Inspector or a Superintending Inspector with representatives of the Employers' Association and Workmen's Union, difficulties are explained and objections met by modification of the scheme, and then a draft of the regulations is prepared. The draft, after further examination and discussion in the Home Office, is published, and an opportunity given to every one concerned to offer objections and suggest amendments. If objections are made and cannot be met by amendment, there is a public inquiry by an independent commissioner by whom all objections are heard—heard by counsel if the parties desire it—and no regulation is made till the Home Secretary has before him the Commissioner's report. Such formal inquiries are, however, rare; usually, as the result of the discussions with the representatives of employers and workmen, unanimity is reached either before or after the publication of the draft regulations.

It has sometimes been suggested that there should be a Home Office Advisory Committee similar to the Advisory Committees of some other departments. Such a suggestion ignores the extent and diversity of the Home Secretary's functions. What body of men could be got together equally competent to advise on the carrying out of a capital sentence, the conduct of an Industrial School, the safety rules for electric stations, and the close time for rare birds? The Home Secretary has in fact not one advisory Committee, but several dozen advisory Committees—some formal and permanent like the Police Council, others informal, others temporary, but all composed of persons interested in the subject and with competent knowledge of the questions that are at issue or may arise, and all giving substantial assistance in the work of legislation and administration.

There remains to be mentioned one recent development of Home Office action—the part it has taken in the work of the League of Nations, particularly in that of the League's International Labour Organization. The first draft of the scheme afterwards embodied in Part XIII of the Treaty of Versailles was actually prepared in the Home Office, and the Home Office has sent to the conferences on industrial questions at Geneva and elsewhere, Ministers, Administrative Officers, and Inspectors, as delegates or as technical advisers. In preparing for the conferences

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replies have been compiled to the elaborate *questionnaires* of the International Labour Bureau; and when conventions have been made or "recommendations" issued, arrangements have been made for ratifying the conventions and for giving effect to the ratified conventions and to the "recommendations"; and at every stage there have been frequent consultations with employers and workers.

The Home Office has also had to take a leading part in three other matters dealt with by the League—Opium Traffic, Indecent Publications, and White Slave Traffic. Attendance at the Meetings of the League and its Committees on these subjects has absorbed much of the time of two of the higher officers; and in connection with the first and second—happily not with the third—there has been a heavy burden of departmental work. The great services rendered by Sir Malcolm Delevingne in the treatment of the international opium question have, in particular, been universally recognized.

This review of Home Office functions and work is necessarily very incomplete. In trying to condense into the space of forty minutes materials which I had previously compressed with difficulty into 250 pages, I have had to express in brief general terms things to which official precision could be given only by lengthy dissertations, and I have had to omit many things which I should have liked to discuss. I have almost always refrained from mentioning the share taken by many Home Secretaries and by my predecessors and former colleagues in building up the organization of the Department and settling the principles on which it acts: but I should like, as my concluding words, to pay a tribute to the two greatest Home Secretaries of past generations—Sir Robert Peel, who originated the modern police forces, who passed the first important legislation for prison reform, and who in eight great Acts took the first step to the humanization of our criminal law; and Sir William Harcourt, who made the Home Office Secretariat, which had in most branches of its work lagged behind its own inspectorates, an effective instrument of administration.

The Legal Departments of the Crown

By SIR ALFRED H. DENNIS, K.B.E., C.B.

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THE title of this paper "The Legal Departments of the Crown" might be taken to cover a wider scope than was intended. Considering, however, the purposes of this Institute, the discussion of the principles of Public Administration—and the series of which this paper forms part—one dealing with the "Functions and Organization of Government Departments," and considering also the limitations of time and space, I am confining myself to those legal branches of the Public Service, namely (mainly), the Legal Advisers and Solicitors of Government Departments which are ancillary to the Administrative Departments, and whose functions and organization bear a close relation to questions of administration. I make no attempt to deal with bodies like the Charity Commission, the Public Trustee, the Land Registry, and the Chief Registrar of Friendly Societies, which though mainly staffed in their highest ranks by lawyers are separate administrative departments. Nor do I touch the Lord Chancellor and his Department, which is beyond the scope of this paper, and would require separate and independent treatment.

I come first to the Law Officers of the Crown, the Attorney-General and Solicitor-General, who are of course high political officers (the former being sometimes (as now) a Cabinet Minister), and are chosen from the top of the profession of the Bar. They are (apart from the Lord Chancellor) the supreme legal advisers of the Government and of every Government Department. The Attorney-General (in whom I always include the Solicitor-General acting in his absence or by his directions) conducts or controls all Government litigation in England and Wales; he also represents the Government for many purposes in the House of Commons, and is often charged with the conduct of important Government measures, besides a number of duties imposed upon him by statute or custom. It is not relevant to my purpose to attempt anything like a full description of the functions of the Law Officers; all I propose to do is to indicate how their position bears upon questions of practical administration. The first point to note is the alteration caused by the enormous increase in the work thrown on the Law Officers. The increased complexity of Government business, with the consequential increase in the legal questions arising

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in various departments, and the increasing practice of charging the Law Officers with political work, has made it physically impossible for them to be consulted in more than a small percentage of the multitude of legal questions which arise day by day in all the Government departments. From these circumstances there has arisen, within the last thirty or forty years especially, an enormous increase in the functions of the departmental solicitor or legal adviser who reduces the burden placed upon the Law Officers by advising himself in most cases, and by a careful preparation of the cases that are submitted to the Law Officers, who are only troubled with cases of exceptional difficulty or of exceptional importance on political or other grounds.

Many of these legal advisers are of recent origin, such as those of the Foreign and Colonial Offices, and, of course, all those of departments of modern creation, such as the Ministry of Agriculture, and the Ministry of Labour. Others of old standing, such as the Solicitors of Inland Revenue and Customs, the Treasury Solicitor, and the Board of Trade Solicitor, have encountered an immense increase of work and responsibility during this period—and this quite apart from the exceptional work due to the war, which is now gradually dying out.

Such has been the reaction upon the public administrative service of the increased pre-occupation of the Law Officers, in conjunction with other causes.

The Law Officers have no department at their own immediate disposal like other Ministers of the Crown, but they have the statutory assistance given them by the Director of Public Prosecutions in criminal matters, and by the King's Proctor in divorce cases, and the general assistance of the Treasury Solicitor where no other official legal help is available; otherwise they are dependent upon the instructions they receive from the departmental legal adviser or solicitor, no part of whose duties requires more care than the preparation of a case to be laid before the Law Officers, the case being often an important State document in connection with which the opinion has to be read. This involves the departmental legal adviser or solicitor in a double responsibility to his department on the one hand and the Law Officers on the other. The advice of the Law Officers differs from that of the departmental legal adviser or of the junior Counsel who advises the departments in that it is the advice of responsible political Ministers, and therefore cannot well be disregarded by any departmental officers. If it is desired to go behind an opinion of the Law Officers presumably action would have to be taken by the political head of the department.

From the administrative point of view it is important that the opinion of the Law Officers (having regard to its binding effect) should not be obtained except on due consideration, and with care that the facts are fully and correctly stated to them and the questions on which their

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opinion is sought clearly indicated ; an opinion delivered under any misunderstanding of the position might prove to be very embarrassing.

It is, I think, usual, and certainly desirable as a general rule, that references to the Law Officers should be made through the departmental adviser and on the instructions of the Minister or permanent head of the department or some one with authority to give such instructions, and the case is usually submitted to the department for approval.

Of course there are questions of urgency or of a political or confidential nature in which the Minister consults the Attorney-General personally, but I am speaking of the normal procedure as affecting administration.

Now I come to the position of the Attorney-General in the conduct of Crown litigation. He has the legal power of settling any case on such terms as he thinks desirable without reference to the department, and his settlement constitutes an agreement binding on the Crown ; in practice he often does refer to the department, through the solicitor instructing him, where it is possible to do so ; but the opportunity of a settlement has often to be seized on the spur of the moment. Further, his position as a responsible Minister makes it difficult if not impossible for him to resist any appeal which the Court may make to him to forego to some extent the strict legal rights of the Crown, as to costs or otherwise ; it is sometimes the duty of the departmental solicitor to warn the department of this possibility where a strict enforcement of legal rights might have the appearance of harshness. Again, inasmuch as the Attorney-General has to answer to Parliament for the conduct of Crown litigation, it is open to him to decline to proceed with any case, or to take any particular course, notwithstanding departmental instructions to do so. In theory a deadlock might arise, but in accordance with the practical give and take which governs the working of the British Constitution such a position would be met if necessary by a personal discussion between the Minister and the Attorney-General.

Before I consider the departmental Solicitors I should mention the Junior Counsel, not precluded from private practice, to whom on the appointment of the Attorney-General are allotted the work of various departments whenever the services of Junior Counsel are required as always in litigation, and sometimes for advisory purposes ; the most important of these is the Common Law Junior Counsel to the Treasury (commonly known as the Attorney-General's devil). They are an invaluable assistance both to the Law Officers and to the departmental Solicitors, but apart from actual or apprehended litigation it is impossible to consult them for advisory purposes in any but a small percentage of the cases that arise. The departmental Solicitor has a discretionary power to consult them when he wishes.

The main subject of this paper concerns the departmental legal

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advisers or solicitors, and I have first a general remark to make as to the titles "legal adviser" and "solicitor." The Foreign and Colonial Offices have their "legal advisers," the Treasury, Inland Revenue, Board of Trade, and others, have their "solicitors," the Ministry of Health adopts the double title "solicitor and legal adviser." Many of these posts with the title "solicitor" are or have in the past been held by barristers, e.g. the Treasury Solicitor, and until recently the Solicitors of the Inland Revenue and the Customs. The title "solicitor" is either traditional, as in the case of the Treasury Solicitor, or is used because they have to act in a greater or less degree as Solicitors in the Courts, and therefore for technical reasons connected with the Solicitors Acts bear the title "solicitor." The point which I wish to emphasize in this paper is that under modern conditions all these official lawyers, whether they are barristers or solicitors, are in fact the immediate legal advisers of the departments for whom they act, and that with many of them their advisory functions outweigh their functions as conductors of litigation. It is these advisory functions which have most bearing on the problems of administration, and therefore it is appropriate to lay stress upon them in addressing your Institute.

The largest by far of these legal departments is the Treasury Solicitor, a very ancient office, which I have not traced beyond the reign of William III, though no doubt it is much older than that; in that reign it was held by one Aaron Smith, described by Macaulay as "an acrimonious and unprincipled politician," "a man in whom the pettifogger and the fanatic were strangely united," who had previously been the legal adviser of the notorious Titus Oates. I do not know what Mr. Aaron Smith would think of modern holders of the office. Until the modern development of governmental functions the duties of the Treasury Solicitor were in substance confined to the conduct of Crown criminal prosecutions, with which he is still associated in the public mind, though that duty is now entrusted to the Director of Public Prosecutions. The Treasury Solicitor acts as legal adviser and solicitor in all civil matters for the departments for whom he acts. Here we come to an important difference in the organization of legal assistance, which distinguishes the Treasury Solicitor from other departmental legal advisers and solicitors. The latter form part of the staff of their department, their expenses are charged on the departmental vote, and their duties are confined to their own department. The Treasury Solicitor's department, on the contrary, is a centralized body advising several departments, though formally attached to the Treasury, and is in effect a separate legal department; his charges (with those of the Director of Public Prosecutions) fall on the separate vote "Law Charges, England."

The Treasury Solicitor acts for a large number of departments, the chief being the Treasury, War Office, Admiralty, Air Ministry (excluding

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as regards the three fighting departments questions of military or naval law administered by Courts Martial). He also acts for the Office of Works, the Ministries of Pensions and Transport, and the Attorney-General (where he requires the services of a solicitor).

He represents the Foreign, Colonial, and Home Offices and Board of Education, when specially instructed for action in the Courts or other purposes. There are besides a number of official or semi-official bodies, who refer to the Treasury Solicitor either under the general directions of the Treasury, or by special directions of the Treasury in the particular case, such as the Stationery Office, the National Gallery, the British Museum, the Imperial War Graves Commission, the National Debt Commission, and so on. His possible official "clients" are over fifty in number. Indeed, the bulk of his work is done for departments other than the Treasury. He is also charged with other functions such as the administration of intestate estates falling to the Crown, and the representation of the Attorney-General in Charity matters. He holds the separate office of King's Proctor, who has well-known statutory duties under the direction of the Attorney-General in connection with divorce, to which a separate portion of the staff under an Assistant King's Proctor is allotted. As King's Proctor (using for distinction the title of Procurator-General) he is also charged with the conduct of Prize proceedings in time of war, an almost forgotten function, which rose to prodigious proportions in the Great War, and for which owing to a wise prevision preparations had been made enabling instant steps to be taken on the outbreak of war in all parts of the world. In short, whenever Crown interests are concerned, or the interests of particular officials or persons have to be protected at the public expense, and the matter does not fall within the sphere of any other departmental legal adviser or solicitor, it is the Treasury Solicitor to whom the question is referred.

He is in effect the chief permanent legal adviser of the Crown.

This centralized system of legal organization from the large mass of the work involved necessitates a wide delegation of power to the Chief Assistant Solicitor and other Assistant Solicitors who are by statute given the full powers of the Treasury Solicitor and become in fact the responsible legal advisers of the one or more departments or bodies allotted to them. An exception from the departmental division is the conveyancing work which is carried on by an Assistant Solicitor acting for several departments. Each Assistant Solicitor, while enjoying the great advantage of being able to consult his chief and his colleagues when he thinks it desirable, does in effect perform the duties which would be performed by a separate legal adviser for one or more departments or bodies. I think this system has met with the general approval of the departments concerned who like to have an adviser to whom they are in the habit of referring and in whom they acquire confidence.

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The Treasury Solicitor himself takes a similar share in the work in addition to the general duties, supervisory, administrative, and consultative, cast upon him.

Another result of the centralized system is the great variety of work, including practically every branch of the law (except what may be called family law—settlements, wills, etc., which rarely arises). Most of the separate departmental solicitors, intricate and difficult as are the questions they have to decide, deal in the main with the special spheres of statutory or other law peculiar to their department. The Treasury Solicitor advises departments each of which has similarly a special sphere of law peculiar to it, but from the nature of the operations of the main departments (Admiralty, etc.), there are, I think, more questions of the ordinary law of the land, e.g. contracts, real property, landlord and tenant, claims for damages, than fall to the lot, generally speaking, of the separate departmental adviser; at the same time there is, perhaps, no legal department in which the adviser is so liable to be confronted at short notice with questions upon subjects with which he is not familiar, where he has not the help of detailed experience but has to rely on the resources provided by his knowledge of men and affairs (in particular, of the working of government bodies) and his general legal education.

As against all this, the Treasury Solicitor and the Assistant Solicitors have the immense advantage of a co-ordinated experience and of mutual consultation, forming in fact a kind of legal college whose united efforts should be a match for any difficulty that may arise.

The Treasury Solicitor's Department is in two principal divisions, the Solicitor and Assistant Solicitors at Whitehall, engaged mainly in advisory work, and the Law Courts Branch, under a Director at the Law Courts who carry on the actual work of litigation under the general directions of the Head Office. The Law Courts Branch was set up about thirty years ago, before which time the work was done by an outside firm of solicitors as agents. The Branch conducts the large bulk of Government litigation apart from Revenue cases, and the number of cases (large and small) pending at one time runs into hundreds.

I now come to the separate legal branches of various departments, which could, perhaps, be described in connection with the departments to which they belong, but which it is, I think, appropriate to consider together with the other subjects of this paper as a distinct element in the public service.

At the risk of wearying you I must say a few words about some of the principal ones, not pretending to do more than indicate some of the main features of the work of each.

The legal advisers to the Foreign and Colonial Offices illustrate the recent increase in the work of the official lawyer. They were established within the last forty years in order to ease the work of the Law Officers

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in connection with those departments ; their work has grown like that of other legal advisers, and each has at least one assistant legal adviser ; the former post has, indeed, become one of European importance. They are members of the Bar and are advisers pure and simple with little or no professional staff or machinery for carrying on legal business, for which purpose the Treasury Solicitor is called upon when necessary.

The legal adviser of the Foreign Office is not concerned so much with the statutory or general law of this country (except the law of Prize and other subjects affecting international relations such as the position of aliens) as with questions of international law, and e.g. the wording of treaties and other documents emanating from the Foreign Office ; modern illustrations are the correspondence with U.S.A. during the war as to the blockade, and more recently the treaty of Locarno, in which the work of the jurists played a considerable part.

The legal adviser to the Colonial Office has to consider many special systems of law established in various parts of the Empire, from which questions arise for the consideration of the Colonial Office. It would be impossible for any one to fill this post who had not made a wide general study of law, and especially of the legal and constitutional relations of the various portions of the Empire towards the United Kingdom and each other.

The Solicitor of Inland Revenue, whose department is the largest of the separate departmental advisers, has the duty of advising The Commissioners of Inland Revenue as to revenue questions, of which the more important are questions of estate duty and income tax ; he conducts cases in Court in disputes as to taxes, many of which go up to the House of Lords, and also takes proceedings for recovery of taxes in arrear and prosecutions for frauds on the tax revenue. Sir R. Hopkins, the Chairman of the Board of Inland Revenue, has in a paper printed in your Journal for January 1925, made some remarks which I will venture to quote in part as illustrating the position of the solicitor of Inland Revenue, and in a greater or less degree of other departmental advisers.

After saying " if the law is our charter, it is also our master," he goes on a little later, " To the plain man most statutes are incomprehensible, a secret mystery of which he may not partake ; he feels as if a subtle paralysis inhibited his brain when he is asked, even under guidance, to enter and look upon the sacred thing and adapt his actions to his word. Sometimes the layman will interpose his will and try the arbitrament of the Courts. Often the layman's professional adviser will enter fully into the game and try a fall with us. But we are the ultimate repositories of a dark science, and it is a brave or a well-instructed man who will challenge our oracles without a foreboding of disappointments to come."

And then he goes on, " On major issues the lawyer in the public service

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is continually putting us right, and the Judge—in the lower Courts—not infrequently putting us wrong, but every responsible official must live with the statutes in his hand."

This is a testimony of the best possible authority to the importance of the advisory duties of the Solicitor of Inland Revenue.

The Inland Revenue have indeed a difficult path to pursue between causing injustice to the individual tax-payer on the one hand and on the other hand a failure to enforce effectually the rights of the revenue in the interests of the tax-payers in general and the country at large. They have indeed "*parcere subjectis et debellare superbos*," a double task in which much responsibility to the Crown and the public is thrown upon their legal adviser.

Of the Solicitor to the Board of Customs and Excise similar observations might be made; his duties, advisory or executory, though dealing with a different subject matter, are from a general point of view of an analogous nature to those of the Solicitor of Inland Revenue.

Time forbids me to speak at length of other great legal branches of the public service. Their work varies with the varying activities of their several departments, and is within the departmental sphere of a wide nature because it extends to all the different branches into which the larger departments are divided.

The Solicitor to the Board of Trade has advisory and other duties in respect of several distinct and intricate spheres of statutory and other law, e.g. the Companies Acts, bankruptcy, foreshores, patents and trade marks, mines, and merchant shipping; he conducts prosecutions in bankruptcy and proceedings, for example, in wreck inquiries, boiler explosion inquiries, matters connected with local marine boards, and a large amount of litigation taken over from the Ministry of Shipping. His advisory and executory duties are therefore intricate and heavy.

The Solicitor to the Post Office has work embracing an extensive practice in conveyancing, criminal, Parliamentary and Common Law; the conveyancing branch deals with the acquisition of property, way-leaves, etc., required by the Post Office, the preparation of contracts for mails, the consideration of Bills in Parliament for the compulsory acquisition of sites. The Solicitor conducts the criminal prosecutions for offences against the Post Office. Recent illustrations of his work in other directions are the Agreements with the National Telephone Company and the Marconi Company.

The Solicitor of the Ministry of Agriculture and Fisheries has work mainly of an advisory character together with conveyancing, the principal heads being tithes and commons, small holdings and other agricultural and fishery subjects, questions on the various Diseases of Animals Acts, and also work appertaining to the Crown lands under the Commissioners of Woods and Forests, who have no longer a separate Solicitor.

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The legal adviser and Solicitor of the Ministry of Health advises on the relations of the Central Government to Local Government Bodies and the workings of the Unemployment and National Health Insurance Acts, and is responsible for the preparation of large numbers of orders and regulations.

The Solicitor to the Ministry of Labour, besides advising on the general business of the department furnishes representatives to the British Delegation at the International Labour Conference at Geneva, and when Labour questions are referred to the Permanent Court of International Justice sends a member to instruct the Law Officers.

I have gone through this tedious and imperfect enumeration of the duties of these branches of the public service in order to show in a general way the variety of the work and to enable a general survey to be made of the position of these branches of the service in relation to administration.

The authorities and organizations which I have described do not as a rule advise or act in Scottish affairs. The Lord Advocate and Solicitor-General for Scotland are the political legal advisers of the Government in Scottish affairs, and through their secretary in the Scottish Office sometimes advise Government Departments generally in Scottish affairs. Otherwise the legal business of the Government in Scotland is conducted by private lawyers in Edinburgh.

Northern Ireland and the Free State are for this purpose outside our system altogether.

There are now one or two legal departments to be mentioned which are not quite on the same lines as the departmental solicitors or advisers.

The Official Solicitor is established in the Law Courts under statutory powers to act on the direct instructions of the Court, chiefly to represent lunatics and infants and sometimes to take proceedings for contempt of court at the instance of the Court; he has also to examine in person the appropriate prisons and report as to persons imprisoned for contempt of court.

A very important department is that of the Director of Public Prosecutions, established by statute in 1879 for England and Wales, which after a short separate existence was consolidated with that of the Treasury Solicitor for some years, one person holding both offices with a common staff; on the retirement of Lord Desart in 1908, owing to the increase of work in both offices, including that resulting from the establishment of a Court of Criminal Appeal in that year, the offices were divided, and since then the Director of Public Prosecutions has been an entirely separate officer from the Treasury Solicitor, with one and recently two Assistant Directors with full powers, and a professional staff. The Director and Assistant Directors are appointed by the Home Secretary.

Subject to the general supervision of the Attorney-General and to the

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duty to obey his directions when given, the Director of Public Prosecutions has power to take up any prosecution which appears to him to be of importance or difficulty or to affect the public or for any cause to require his intervention and in particular takes up all murder cases.

He holds an independent statutory position, having a discretion of a quasi-judicial nature so that he is under no obligation to act except on the instructions of the Attorney-General, who is responsible to Parliament for the conduct of Crown prosecutions and whose independence of the executive Government in this respect has been emphasized in recent public discussion.

Subject to this over-riding principle, the Director of Public Prosecutions is with certain exceptions the criminal Solicitor for every Government department, advises in such matters and conducts prosecutions at the instance of the department and furnishes an illustration of the centralization of legal assistance. The exceptions are the Inland Revenue, Customs, Post Office, Ministry of Labour (in other than especially important cases), and in certain cases the Board of Trade, whose Solicitors are equipped for criminal work.

The Director of Public Prosecutions is especially connected with the Home Office, which in addition to prosecutions under various statutes is especially concerned, in consultation with the Attorney-General and the Director of Public Prosecutions, with questions of police and public order of the first importance. The professional Staff of the Director of Public Prosecutions are either barristers or solicitors, specially qualified by experience for criminal work, and as the daily press shows are constantly engaged as advocates in cases before the magistrates. Like all the legal departments with which I am dealing he has encountered a very large increase of work of late years (apart from Government cases), and in addition to his departmental work is frequently consulted by the Government on questions of legislation or policy bearing on the criminal law or its administration.

The Parliamentary Counsel to the Treasury (comprising the First, Second, and Third Parliamentary Counsel) are, like the Treasury Solicitor, formally attached to the Treasury, and are the draftsmen of Government Bills and Statutory Orders in Council, though in the case of purely departmental measures a good deal of this work is done by the departmental adviser. No official lawyers have more arduous, difficult, and responsible duties. They often have to bear abuse which should be more properly bestowed on Parliamentary Committees. They are Members of the Bar appointed by the First Lord of the Treasury.

I ought just to mention the Judge Advocate-General who advises the War Office and the Air Ministry on questions of Courts-martial and military law, and has a considerable staff partly legal and partly military, and the Judge Advocate of the Fleet who performs similar duties on behalf

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of the Navy. These officers perform duties of great importance to the fighting services, but have no relation to administrative departments other than those administering those services.

I will now revert to my principal subject, the departmental solicitors or legal advisers, including the Treasury Solicitor and the Director of Public Prosecutions. In those which I have mentioned and a few other smaller ones there are in all over two hundred lawyers of both branches of the profession employed.

I have mentioned the constitution of the Director of Public Prosecution's Department.

In each "solicitor" department or branch there are from one to three assistant solicitors, who, with the solicitor, form the responsible heads of the department and are appointed by the Minister at the head of the department (in the case of the Treasury Solicitor the First Lord). In each department there is a considerable professional legal staff, and in some departments a greater or less number of non-professional clerks.

The professional staff is divided into at least two grades (under the responsible heads), the lowest being that of professional clerks. These professional clerks are selected by a Selection Board from candidates having professional qualifications, after advertisement, the Board consisting of representatives of the department, of the Lord Chancellor (usually a solicitor of high standing) and of the Civil Service Commissioners.

Selected candidates, after a two years' probationary period, become established civil servants with pensionable rights.

It is often thought desirable, and in some departments is usual, to prefer candidates with a few years of professional experience, and some increase of initial salary is allowed on this ground.

Internal promotion is made by the department.

It is the growing practice to fill the higher posts from within each department or by transfer from other legal branches of the service. Too rigid a rule in this respect would be, like a rigid rule of seniority, injurious to the efficiency of the service; and appointments from the outside professions are made if necessary. But subject to occasional exceptions promotion from within the service opens up a better career for those employed, and furnishes a strong argument against any arbitrary rule as to the appointment of barristers only or solicitors only to any particular post apart from the individual merits of the candidate.

I will now add a few general observations. The Incorporated Law Society has urged that all these posts, or at least those bearing the title "solicitor" should be given to solicitors to the exclusion of barristers.

It will be obvious from the brief sketch that I have given that the nature of the work and consequently the qualifications required vary very largely. In some cases the work is probably more suited for barristers, in others for solicitors. In each case individual instances will prove the

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weakness of generalizations of this kind. It is certainly not true to say that all the work is distinctively solicitor's work; in some cases it is indistinguishable from that of an advising counsel.

I suggest that the true principle in the public interests must be to open the service from the bottom to the top to both branches of the legal profession and select the best man having regard to the nature of the work in each case. The suggested exclusion of barristers would cut off a large and promising recruiting field where there is an unusual amount of unemployed ability, injure the prospects of barristers already employed in the service, involve in many cases the passing over of the obvious man for the post, and do a serious injury to the public service. Appointments and promotions should be made on individual considerations only and without regard to the claims of one or other branch of the legal profession.

It must be assumed that the Incorporated Law Society are acting in ignorance as to the nature of the work and the qualifications required and are possibly misled by the title "solicitor," and by the public prominence which the conduct of work in Court assumes as compared with the confidential and self-effacing nature of advisory work. Apart from the merits of the question it is contrary to all sound principles of administration as now accepted that those responsible for appointments in the public service, should be embarrassed by the pressure of an outside professional organization.

Another question that may occur to you is whether the centralized system represented by the Treasury Solicitor and the Director of Public Prosecutions, or the plan of having a separate legal adviser or solicitor in each department, is the better.

Suggestions have from time to time been made in favour of an extension of both systems.

The centralized system may be considered to produce a more independent and detached attitude of mind on the part of the legal adviser, who is not too much absorbed in the departmental atmosphere; it is on considerations of this kind that some people think the Attorney-General should not be in the Cabinet. Further, the centralized adviser can co-ordinate the experience derived from several departments and help to maintain a common policy in matters of a similar nature, and is fortified by the assistance of his colleagues.

On the other hand, an adviser attached to one department is more easily accessible and more closely familiar with the personnel and work of the department.

Further, there is a limit of size beyond which a centralized body becomes divided into water-tight compartments and loses many of the advantages which it should possess.

On the whole, it seems that where several departments have a great

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deal in common, like the Defence Departments, they are better advised by a common adviser, but where they have intricate spheres of law with little in common with each other such as e.g. the Inland Revenue, and the Board of Trade, the existing system of a separate legal branch is better. Probably also the magnitude of the work in those and other cases would necessitate this arrangement.

I will add a few words as to the nature of the work of a departmental solicitor. Its variety appears sufficiently from what I have said, but it can roughly be divided into two main classes—court work, including in this expression work in statutory tribunals of various kinds, and advisory work, including in this latter head the drafting of deeds, contracts, orders and regulations, etc., and of bills in Parliament in some cases. The court work is not unlike the work in any large solicitor's office, but in some departments, e.g. the two Revenue departments and the Board of Trade, the staff (as in the case of the Director of Public Prosecution) have unusual opportunities of acting as advocates in cases where counsel are not engaged.

There is this feature common to both court work and advisory work, which I think is peculiarly the case in Government work as distinguished from private practice, that in public affairs there is hardly such a thing as an unimportant matter. What appears to be a small case may have a big repercussion as a precedent or may become the subject of public comment, and if badly handled bring trouble or discredit on the Government. Connected with this consideration is the almost judicial nature of the discretion which the official lawyer is compelled to exercise. A Government department more than any private body is rightly expected, and desires, to uphold a high standard of justice in its dealings with the public without unduly neglecting the financial or other interests of the State. The departmental adviser is called on to assist the department with his advice in the many cases where the question of pressing the rights of the Crown is one of discretion. The overwhelming resources of the Crown in litigation make it a serious matter even for wealthy litigants to fight a case, and where, as often happens with the Treasury Solicitor and the Solicitor of Inland Revenue, a department is in dispute with persons of little or moderate means, litigation with the Crown is impossible. There are also the numerous cases where on account of the prerogative rights of the Crown or for some other reason the subject has no legal remedy. I may instance the position of the fighting services or others under Orders in Council or regulations, and also to a large extent the position of established civil servants and other Crown employés.

Indeed the legal adviser cannot confine himself to being a sort of "medicine man" to ladle out what is called "the law" and settle the wording of documents; the boundaries of law and policy are often indeterminate, as are the boundaries of law and fact, and the administrative

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departments often press for his opinion on questions of policy and discretion connected with legal or quasi-legal questions.

I may perhaps be allowed to quote Sir James Floud from the April 1923 number of your Journal; here he says: "It is impossible to over-estimate the influence which a wise, experienced, and tactful legal adviser exercises over the whole range of policy of the department without having any executive power."

The official lawyer has the advantage of dealing with a skilled clientèle, unlike the helpless unbusiness-like people often met in private practice. On the other hand, this imposes on him an exacting standard of work; he is not there to be "inclined to think," but is expected to give definite opinions, even where definiteness is impossible; he is confronted with acute minds which will readily detect any attempt to evade a difficulty by sailing round it, as we have all tried to do before now. There is a legend of a former Assistant Solicitor to the Treasury who was chased through seventeen separate references in an attempt, which never succeeded, to extract an opinion from him on the real difficulty in the case.

Indeed, the vast increase of Government work has in many cases thrown upon the departmental solicitor work which in former days would have gone to the Law Officers or other counsel.

As to the general relation of the lawyer to the permanent civil servant, the lawyer, while not trespassing on the functions of those with whom actual responsibility rests, can assist them by bringing to bear the light of a different experience and intellectual outlook derived from his professional life and training; in particular, his profession imposes upon him the necessity, if he is to serve his client properly, of knowing what will be said on the other side of a question. Indeed, the maxim "Put yourself in his place" supplies the answer to many legal difficulties.

There is a tendency to different points of view on the part of the civil servant and the lawyer; the former lays stress on the general aspects of a case on the broad lines of the public interest while the lawyer concentrates on the rights and wrongs of the individual in the particular case. Put in an extreme form, the civil servant says, "*Salus populi suprema lex*"; the lawyer says "*Fiat justitia ruat cælum*." There is no necessary inconsistency between these points of view.

I will not attempt any more generalizations of this imperfect kind, in the limited time at my disposal.

There is finally some constitutional value to be claimed for the corps of legal advisers. Public opinion is exercised by the tendency arising from the delegation of legislative power and the increased complexity of public business to throw more and more power into the hands of Government departments. This is thought rightly or wrongly to threaten Parliamentary government on which the rights and liberties of all depend.

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The great bulwark of Parliamentary government is the rule of law, and much may be done by the legal advisers to assist the departments of Government in asserting and maintaining the rule of law and quieting the public apprehensions in this respect.

I thank you for listening to this incomplete statement, much of which I fully realize to be open to criticism and qualification, for which some time is yet left.

London One Hundred Years Hence

By G. TOPHAM FORREST, F.R.I.B.A.

[Read before the Institute of Public Administration, 25th February, 1926]

CAN we stop the growth of London? I am afraid that to attempt it would be to attempt the impossible. So long as Londoners are in need of houses, so long will houses have to be built. And the only place in which to build them in any large numbers is on the outskirts of the Metropolis.

The growth of London is bound to be very marked during the next ten or fifteen years. Many thousands of new houses will be erected. And since the number of houses to the acre is limited nowadays to about twelve, a large area of land will be required.

Allowing for such growth, London of 1950 will probably embrace Uxbridge on the west, Watford on the north-west, Romford on the east, Dartford on the south-east, and Purley on the south. Much of the open land which now exists between these places and London, will no doubt be covered with streets and houses within a quarter of a century.

As regards the growth of London, it is interesting to compare the London of one hundred years ago with the London of to-day. Notwithstanding its long history, London by the year 1823 had not extended quite as far as the Regent's Canal to the north and east.

The Edgware Road between Regent's Park and Hyde Park marked the western boundary. South of the Thames its growth was confined to the triangle formed by the river between Rotherhithe and Lambeth, with its apex at Waterloo Bridge. In 1823 the greatest distance of any part of London from the open country was from $1\frac{1}{2}$ to 2 miles.

To-day the distance from the central area to the open fields is from 6 to 8 miles. London has reached out until it encompasses Edmonton in the north, Croydon in the south, Hanwell in the west, and Erith in the east.

It is also interesting to note that, broadly speaking, the London of one hundred years ago is now Central London.

One hundred years ago this area embodied *all* the interests of the capital city—financial, commercial, industrial, and residential. Industrial concerns and residential districts are still to be found within its borders. These, however, are of small extent and are being gradually and persistently crowded out. Its chief interests are financial and commercial. The principal theatres and places of amusement are to be found within its borders, as also are most of the great hotels.

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The south-west corner of the area is (as it was one hundred years ago) the governmental centre.

To Londoners this inner area is London : they live at Hampstead or Dulwich, at Putney or Highgate, but they work in London !

The Londoner is often charged with lack of civic pride. The charge is untrue. Greater London, even the County of London, is too big to inspire much in the way of civic pride. It is too vast, the mind cannot grasp it ; but the mind can and does grasp the importance and the glory of the Central Area.

And so proud is the average Londoner of this Central Area that he would, I feel sure, be prepared to do a great deal to add to its glory. He would certainly resent any attempt to detract from it.

Of course that does not mean that he is uninterested in the suburbs. He is very much interested, at any rate in his own particular suburb. It is there he has his home, and it is there his children are being reared. And this at least can be stated : he resents any act which might render his own district less attractive as a place in which to live. I am constantly receiving letters which go to show how deep is this resentment. Unfortunately, as the law stands at present the spoiler of neighbourhoods has almost absolute freedom to do as he wishes. And once he gets to work there is little chance of saving a neighbourhood. In fact, we have almost come to take it for granted that neighbourhoods are bound to decline ; and when buying a house in which to reside we wonder how soon it will be before the inevitable takes place !

The time has arrived, I suggest, when we should take steps to put an effective stop to the spoiler, and to prevent this decline. Instead of taking it for granted that districts will deteriorate, we should render it almost impossible for them to do other than improve.

And with this end in view I bring before you certain suggestions. These in their completeness may take a century to realize. They would, however, if put into operation without needless delay, have the immediate effect of arresting the forces which make for decline. They would also set free the forces which make for order and beauty and usefulness in every suburb of this great city.

But it is, perhaps, even more important that the forces which make for utility and beauty should also be allowed to work in the Central Area. Here, however, the problem to be solved is of a different character, and we shall deal with it separately.

I. SUBURBAN LONDON

When London was confined approximately to what is now known as "The City," Queen Elizabeth tried to limit its growth. By Royal Proclamation it was forbidden to erect on new foundations any house or

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tenement, for habitation or lodging, within three miles of the City gates. James I and his successors followed the same policy until the time of Charles II, but in the latest proclamations the prohibited area is reduced to two miles. In Commonwealth days an Act was placed on the Statute Book, the object of which was stated to be "for the preventing of the multiplicity of buildings in and about the suburbs of London and within 10 miles thereof." Under this Act heavy fines could be imposed in respect of any house within the 10-miles limit which had not "four acres of land at least."

There was, no doubt, cause for alarm in those early days from the point of view of the health of the community. We learn that from the old Proclamations. The objection on the ground of health, however, no longer holds good, for London can claim to be the healthiest city in the world.

But surely the great thing to strive for is not a limited London. So long as it is developed on the right lines, I would let it grow, even though I knew that presently it would reach from Bedford to Brighton.

But if we are not going to direct its development along right lines, then we should certainly limit its size. In the past London has just been allowed to grow big, without method, without object, without plan.

Here and there individuals have developed their own particular property in a way which calls forth the highest praise. An instance of this is to be seen in the Ladbroke Road area in the Notting Hill district.

On one side we have an indication of how London as a whole might have been directed in its growth. But immediately over against it we have a most glaring example of uncontrolled development. This has degenerated into a slum, whereas the other remains a good-class residential neighbourhood.

There is, of course, very great difficulty in the way of changing districts already built up. It was the realization of this difficulty which led me to suggest the period of one hundred years in the title of this lecture. It will take at least a century to achieve order and beauty and usefulness in many of the established areas within the Metropolis. There is so much to be undone, so much that will be difficult to undo.

In the Notting Dale area, for example, the evil can only be eradicated by replanning.

In other districts, where the planning is quite good, decline is caused by the introduction of incongruous buildings.

Let me remind you of what so often happens under existing conditions in these cases. A district is laid out for residential purposes and good-class residences are erected. To their dismay, however, the owners find presently that right in the heart of the district a factory is being built. The only reason for building it there is probably that the land happens to be somewhat cheaper than in the adjoining commercial area. As

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regards transport facilities it would perhaps be more convenient to erect the factory near a railway or a waterway. But this aspect of the matter is apparently often disregarded.

The erection of such a factory is the first step in the decline of the area. Presently other factories come in. The character of the district rapidly changes. Within a short period it has that moth-eaten appearance so characteristic of many districts which formerly were of a good-class residential character.

We should aim at putting a stop to this kind of thing. And not only so, we should also aim at gradual improvement in every district no matter how old it may be.

Take, for instance, the Chelsea district. If we are to achieve utility and beauty in all that district, we shall have to consider first of all the question of traffic. Bearing in mind the traffic needs of the whole of London, we know which roads in Chelsea are, and will continue to be, traffic routes. These are Fulham Road and King's Road and also the bridge approach roads, viz. Oakley Street leading to Albert Bridge, and Beaufort Street leading to Battersea Bridge. But those streets are not wide enough, and therefore we shall have to increase the width to, say, 70 feet as and when opportunity occurs. King's Road should also be straightened out where an awkward bend occurs just west of Beaufort Street.

This straightening out could be done at comparatively little cost. All those who use the roads know the value of straight streets in passing through a town. King's Road straightened would give a direct traffic route right through the heart of Chelsea.

The frontage of the area to the river should also be improved. Moreover, as Chelsea is particularly a residential area, provision should be made for ample open spaces.

At the present time many changes are taking place in the district. These appear to be in the direction of the substitution of residential buildings of the character of flats, for single family houses.

It is probable that within the next century nearly all the inner suburbs will experience similar changes. I refer especially to such districts as Camden Town, St. John's Wood, Bayswater, Notting Hill, Kensington, Chelsea, Fulham, Battersea, Clapham, Brixton, and Kennington.

The coming of the motor-car might at first have led us to believe that people would live farther and farther away from the centre. That is what did happen at first. Now there is a tendency in the opposite direction. And we shall probably find as time goes on that greater and greater numbers of people who own cars will move into flats near the Central Area. They will use their cars for getting out of London, rather than for coming into it.

And I suggest we should take steps to direct these changes. In Chelsea,

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certain parts—the most suitable for the purpose—should be definitely allocated to residence, and only residential buildings should be permitted there in future. Other parts—again the most suitable for the purpose—should be allocated to shops and commercial buildings. The whole district being predominantly residential and commercial in character, that character should be maintained. As I have said already, it might take a century to realize the changed conditions. But let us agree without further delay as to the best way of rearranging the area. And having agreed, let the agreement be made binding on all parties, and definite improvement is bound to follow. As things are at present, there is no law to prevent the deterioration of any part of Chelsea. The introduction of a few large factories is all that is necessary to spoil the whole district as a residential neighbourhood.

I am merely taking Chelsea by way of example : the same thing applies to any other residential area.

Or if we take a district of an industrial character, we shall find a similar need for rearrangement.

In Bermondsey there is a small area known as Hickman's Folly, which has been classified as a slum ; it became so unhealthy that the London County Council has had to undertake the work of demolishing the old houses, and to build in their place healthy tenements. The insanitary area is in the heart of a district partly residential and partly industrial.

The whole district needs rearranging.

One hundred years ago there was ample open space for the residents. The industries and the residences of the workmen, and also of their employers, were to be found amidst more or less healthy surroundings.

To-day the only suggestion of an open space is a disused burial-ground at the south-east corner. Otherwise every inch of ground is occupied by industrial buildings or by residential property—much of it very small and very poor in character. And in such a way have the industrial buildings and the residential been jumbled together that insanitary conditions were almost bound to ensue.

In this district, also, agreement should be arrived at as to the part of the area best suited for industry, and we should definitely allocate it to that purpose. We should ear-mark the portions most suitable for residential purposes, and in the redevelopment of these portions ensure that the buildings have adequate amenity of light and air. We should also decide upon the portions to be devoted to open spaces. The decision once arrived at should be made binding on all parties who may be in any way connected with the future development of the area.

It might take one hundred years to carry out such rearrangement, but it could and should be done. In districts like this we are constantly

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manufacturing slum property, which in turn becomes a danger to the health of the whole community. Then the community has to bear the cost of reconstruction.

With a little foresight we can blot out slums altogether within the next hundred years. To allow London to develop without guidance and without direction is too expensive to be perpetuated. It means the ceaseless creation of slums.

As regards our new suburbs on the outskirts of London, it should be comparatively simple to proceed along right lines. Here we can easily fix the best place for the homes, the best for the schools, the best for the shops, the industries, and the parks.

We must plan these new suburbs in advance. The direction and widths of the roads, the character of the houses, and the amount of space about the houses, should be definitely decided. The new roads should be laid down bearing in mind the traffic needs not only of the present, but of the future; and not only of the immediate neighbourhood, but of London itself and of the surrounding country. Our method in the past has been too often that of planning an area (and it could not always be called planning) as if it were the only area in existence. Fortunately, the Town Planning Acts as regards land at present undeveloped should prevent this sort of blind-alley planning in future.

As to the houses to be built, it is not enough to provide so many thousands of them. Each house should contribute its part to the beauty and glory of the capital as well as to the health, comfort, and convenience of its inhabitants.

As regards the established suburbs, I am not out for rebuilding London. I would not do it if I could. London might be spoiled in the process! But the principles of Town Planning should also be applied throughout every district. The right building in the right place, and in many places no building at all, should be the key-note of all redevelopment.

In this way we would not only add to the efficiency of our City, but we would discover also that at the same time we were in no small measure adding to its beauty.

There is much that might be done to improve London, some of it immediately. For instance, we could make it much more tidy than it is. Take the so-called markets to be found in all our suburbs. Cheap markets are without doubt a necessity, but the coming of the street vendor into a district somehow or other always makes for untidiness.

The necessity for controlling these markets has been evidenced by the steps taken during recent years to provide for the definite regulation of this form of enterprise. This regulation has consisted in allocating sites for the stall-holders and in licensing these. But I think the regulation should be carried a stage further. It is not sufficient that

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a site should be selected haphazard without due regard to the amenities of the neighbourhood.

At Brixton, for example, a large number of stalls have recently been collected on to a site adjacent to a fine piece of roadway. The effect on the neighbourhood is a matter which I can safely leave to your imagination. The stalls are within 200 yards of the Town Hall, the Parish Church, the Public Library, and the Theatres.

A somewhat similar case occurs at Lewisham in the centre of the main thoroughfare of the district. The stalls have actually taken the place of green spaces which previously existed. My suggestion is that in each district there should be provided as an essential part of the plan for that district a definite place where such stall-holders could be congregated without in any way detracting from the amenity of the neighbourhood. In their appropriate place they would even form a feature of the shopping facilities of a district and add to its interest.

In the development of such a market, it would be fitting that some provision should be made for a covered market. Here could be accommodated traders of a semi-permanent character.

The market hall would suitably be placed on one side of the open space in which the market stalls were permitted. Around the Hall, shops with flats over could be arranged.

In the outer suburbs the flats could be on two or three floors, but in the inner as many as five or six floors might be necessary to produce a satisfactory financial return on the high cost of the land. The roof over the market proper could also be used as a playing space for the children living in the flats.

In connection with these markets a parking space or garage for cars might readily be provided both above ground and in the basement of the Market Hall.

This suggestion for a Market is not, as you will appreciate, a new idea, but merely a modern development of an old-time English market-place.

I have already referred to the civic pride of the Londoner in the Central Area which he calls London. I think he should also be proud of his own particular suburb. As a means not only to this end but to the greater end of general improvement of our suburbs, we should seek to re-create the entity of the various districts which comprise London. One of the surest ways to do this would be to group the various buildings which mark the life of the centres of those districts. Such buildings would comprise the Town Hall, the Parish Church, the Market, the Public Library, the Picture Gallery, the Swimming Bath, the Technical Institute, and the Theatre.

I have just referred to Lewisham. The High Street of that borough already contains many of the public buildings. It is also bounded by a number of pleasant, though small, open spaces. In the growth of

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Lewisham from a small township in rural surroundings to its present condition as a Metropolitan borough, there was an opportunity for adequate development. Its principal road would have formed a basis for the development of an appropriate civic plan. It is not too late, however, to suggest such a plan. This main thoroughfare has a distance of a mile-and-a-quarter, and such a redevelopment would, I think, be no small stimulus to the civic pride of the inhabitants of the borough.

Another important matter in connection with the future of London is that of providing sufficient recreation space.

It would be a splendid thing if we could have a wide belt of open country encircling London and cutting it off completely from surrounding towns. One hundred years ago it might have been possible to provide such a belt. I am afraid it would not be practicable to-day. But even if it were, its distance from the centre would largely detract from its utility.

We could, however, provide a ring of parkland more or less complete within easy travelling distance of the centre. In this way we should be adding greatly not only to the beauty of London, but also in a very real way to the well-being of the community.

That such a ring of parkland or recreation land is urgently needed, will, I think, be a matter of common agreement. Why deplore the fact that so many able-bodied young men spend their Saturday afternoon watching football instead of playing it, unless we take steps to provide ample recreation space?

If prompt action were taken in the matter, it would be possible at the present time to reserve a recreation belt well within a radius of 9 miles from Charing Cross. This would be within an hour's tram or bus ride from any part of London.

The immediate provision of the whole of this ring of parkland might be deemed too costly from a financial point of view. Would it not, however, be possible to provide for it as a feature of a plan of future development? The cost of acquiring the necessary land may be estimated at several million pounds. We could not at present afford to make such a large outlay, and subsequently to maintain solely as recreation space, the large area of land involved. What I would suggest, therefore, is that some considerable portion of the land should for a time be maintained in its present occupation. The revenue arising would to a large extent meet the charges incurred in the purchase. Some proportion of the land could be appropriated for spaces open to the public. The greater portion could, however, be maintained as an agricultural belt. In this way we should be adopting the principles established by the garden cities at Letchworth and Welwyn. The provision of a sinking fund of a quarter of one per cent. would enable the whole of the capital expenditure to be wiped off well within one hundred years.

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As the outstanding debt was reduced by the accumulation of the sinking fund, it would be possible to allocate additional areas to recreational purposes. I think it would not be unduly optimistic to anticipate that an operation of this kind—in effect the institution of an Open Spaces Trust—would prove to be a source of great profit. And in the term profit I include the greater assets of public health and public enjoyment.

Some portion of the belt would perhaps be over land at present built upon, and we should have to be content with parkways to link up the larger areas. Here again, however, it would not be necessary at first, as a rule, to acquire any interests but the freehold. Present occupiers would remain undisturbed, but further development would be restricted. In due course all the subordinate interests would have terminated and the area could then be cleared to whatever extent was deemed desirable.

In this belt we could incorporate some of the beauty spots surrounding the Metropolis. For instance, where the Brent river is crossed by the Regent's Canal, would be an ideal centre for a great recreation park.

This is one of the spots which still remain, reminiscent of the time when the many small streams within the area of London afforded pleasant scenery. Unfortunately, in many cases the original streams have now become mere culverts for carrying off drainage, and are in fact classed as sewers. In our future development we should seek to retain the natural beauty of the few streams which remain unspoilt.

Another instance is the Wandle at Morden, the banks of which, properly preserved, together with an adequate strip of parkland on either side, would indeed be "a joy for ever." Portions of the banks have already been preserved for the use of the public. But in order that full advantage may be taken of the river as a place of recreation, it is necessary that the preserved portions should be extended and widened.

As regards the existing parks in the inner suburbs, an examination of the map reveals the interesting fact that these follow an approximately circular line. If they could be connected up by means of parkways we should also have an inner belt of parkland. The parkways would be in the nature of wide boulevards, which should also add greatly to the rateable value of districts through which they pass.

On the north I would suggest that this boulevard should follow, as closely as possible, the line of the Regent's Canal between Regent's Park and Victoria Park. The canal should be incorporated, as it were, in the new road—a great Canal-side Promenade. We have neglected a great opportunity for improving the district through which the canal flows. Londoners hardly know that the canal exists. And yet it might be made to contribute to the making of our City one of the most beautiful in the world.

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The portion of the canal along the northern side of Regent's Park is already an attractive feature. A modification of the position of the enclosing railings is all that is needed in order that this attractiveness may be enhanced and a parkway formed which would have a peculiar charm.

At other parts of the canal the banks have and are likely to retain a utilitarian purpose. This would not be inconsistent with a development which would make for greater effectiveness in that respect, while at the same time contributing to greater amenity of neighbourhoods which at present can only be classed as drab and sometimes even desolate in character.

This might be achieved by planning spacious quay sides to the canal, flanked by a broad road with the commercial buildings set back to the far side. The necessary communication between the buildings and the canal could be formed in a variety of ways: by mechanical conveyors, by rail tracks, and by under-road water channels leading to private docks.

But I would also connect up the inner circle of Parks with the suggested outer belt. For instance, on the west the link could be along the line of the same canal and the result would add greatly to the beauty of West London.

We should then have a great boulevard from Acton to Victoria Park, and possibly to Limehouse, a total distance of approximately 13 miles.

The roads around the various parks could also in many cases be improved at little cost by utilizing a strip of the Park to convert them into boulevards.

Take, for example, the Bayswater Road along Hyde Park. To look along that road towards Marble Arch is not to be impressed by a sense of either width or beauty. The Park railings create the impression of a long black wall shutting in the street. Why not set the railings back to approximately the line of the main road inside the Park? In this way the width of the road would be doubled. One half would be the traffic road as it exists at present. The other half would be a pleasant parkway. A boulevard $1\frac{1}{2}$ miles long, at the cost of setting back the railings!

The Parisians have realized the value of boulevards much more than we have.

The Avenue du Bois de Boulogne has a strip of green on either side, and as a result is not only a beautiful parkway but also an inspiration to us as regards the treatment of our roads.

You will also recall the whole of the wonderful system of boulevards radiating from the Étoile, chief among which is the Champs Élysées. This with the Avenue de la Grande Armée and their continuations east

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and west, form a wonderful road conception five miles in an unbroken straight line.

In London, however, the provision of a strip on both sides of the street would not always be possible. But there are many streets where it could be possible to provide a green strip on one side, as at Bayswater Road.

The consideration of Hyde Park brings us to Inner London, and it is this Inner London which we shall now consider.

II. CENTRAL LONDON

Here there are also improvements which could be carried out at little cost and without delay.

The Victoria Embankment is in many ways unequalled in any city of the world. But would it also not be greatly improved if some of the walls and railings flanking it were set back or removed altogether? I think this is especially true of the stretch between Scotland Yard and Charing Cross.

Again, Central London contains many beautiful squares. Unfortunately, the greatest use is not always made of them from a community point of view. Even where they flank an important street they seldom contribute much to its beauty.

As an example I would instance Russell Square, a square of considerable size. As one passes along Southampton Row, the Square, hidden behind its railings and somewhat dense banks of green shrubs, does not add to our enjoyment in anything like the same degree as would a tree-planted boulevard. Why not throw this Square open to the road? At the present time the Square with its shrubs and trees and also its railings is a compact mass bounded by four streets. If the square were thrown open we should have an area into which the four streets would merge as one large open space.

Such a transformation of this and similar squares would create a sense of openness of which every one traversing the neighbourhood would be conscious.

We are also impressed with a sense of untidiness in many parts of Central London. This particularly applies to advertisement hoardings and signs. In many cases hoardings facing important roads are both a disgrace and a disfigurement.

As to advertisement signs, perhaps the less said the better. The illuminated signs at Piccadilly Circus afford an outstanding example of tawdry and blatant advertising which is in every respect altogether unworthy of the centre of a great City.

The recent introduction of flood lighting as a means of advertising, will, I think, commend itself more and more to the citizen who takes any

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pride in his city. It will also, I think, have another advantage: flood lighting is adopted for the purpose of bringing to the notice of the passer-by buildings worthy of his admiration, and that at a time when he has leisure to appreciate them. Obviously, therefore, the buildings to which this method of advertising is applied must in themselves have distinct architectural merit. Thus there is introduced a factor having considerable educative force on the passer-by as well as an incentive to owners to ensure the adequate architectural treatment of the buildings in the most prominent positions.

The great problem of Inner London, however, is one of traffic. And this problem will remain unsolved unless we can find a way of effectively distributing the traffic.

At present we are not making the best use of our streets. Some of them are over-used, some under-used.

The Ministry of Transport has proposed through routes from west to east. One of these from the neighbourhood of the Marble Arch towards Victoria Park should be of the greatest value. If to this east-to-west route could be added a boulevard along the Regent's Canal, such as I have already suggested, further relief would be afforded, particularly as regards light motor traffic. In passing, may I express the hope that the Ministry will bear in mind that their new roads should be something more than mere traffic routes? They should also contribute to the beauty of London. In other words, the Architect as well as the Engineer should have some say in their design.

But traffic north and south also needs to be distributed, and in this connection I would first of all take the western part of Inner London.

I refer to the area including the Royal Residence and extending from Victoria Station in the south-west to Paddington and St. Marylebone on the north-west.

The setting of the Royal Residence, particularly on the Park side, forms the key to the improvement of much of this area. The monumental character of the lay-out should be given effect to in larger degree in the lay-out of the whole district.

First of all, I would suggest a new road radial with the Victoria Memorial towards the Army and Navy Stores in Victoria Street.

This road would open up a large block of property. It could in the future be extended to form an additional connection from West London to the new Lambeth Bridge and also to Vauxhall Bridge. Such a road would aid the development of all this area. It would also mean a great increase in the returns by way of rates from a very large district which is suitable for high-class commercial development. Vauxhall Bridge Road at the present time indicates an extensive development of this character.

In front of Victoria Station I suggest a large "Place" which would provide a worthy setting for the Victoria Gateway to our City.

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The Station "Place" could be connected up by means of a new and direct road with The Mall. This would give a splendid vista past the Victoria Memorial to the London Museum.

From the Victoria Station "Place" the line of Grosvenor Place to Hyde Park Corner should also be straightened when opportunity occurs.

Lower Sloane Street, Eaton Place, and Grosvenor Place should be incorporated in the Parkway scheme for linking up the inner Parks.

From the Victoria Memorial, Constitution Hill forms a parkway towards Hyde Park. At Hyde Park Corner I suggest definite planning to facilitate traffic control. This is already a necessity.

From Hyde Park Corner the route to Paddington and St. Marylebone would be through Hyde Park, which on this route may in the future be treated in a more formal manner.

From the Marble Arch through Great Cumberland Place the creation of a boulevard of adequate width would complete the Parkway to Marylebone Station. A similar boulevard could be provided to connect Paddington Station with the garden-flanked Bayswater Road.

Thus would be provided a means of access not only direct but capable of adequate and dignified architectural treatment, between Vauxhall, Lambeth, and Victoria on the south, and Paddington and St. Marylebone on the north.

Beyond Marylebone Station the Parkway should be continued for the short distance between the Station and the Outer Circle of Regent's Park. There it would join up with the Canal Boulevard, east and west.

My next suggestion for distributing the north and south traffic relates to the central portion of Inner London. I refer to the means of communication between the termini of the Southern Railway at Waterloo and the termini of the northern railways at Euston Road.

There is an opportunity here to combine the solution of many problems in one comprehensive scheme.

In the first place, we can improve the traffic communications from the Southern Counties. That from Kent via the Old Kent Road at the present time adds to the congestion at the Elephant and Castle. This traffic could be diverted through a widened Webber Street. The traffic from Surrey via Kennington Road could pass to Westminster Bridge or towards Waterloo via Oakley Street widened.

From Waterloo I would suggest the traffic should be dealt with by three bridges instead of one as at present.

First, let me refer to Charing Cross Bridge. The solution of the problem of this bridge has often been considered as depending upon the removal of the Southern Railway terminus from the present site fronting the Strand.

The partial discontinuance of the use of this station for continental traffic has minimized its importance. But yet it cannot be overlooked

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that the station in this position is of great convenience, not only to business people but also to theatre goers. I would therefore suggest that main line traffic should be dealt with at an enlarged semi-terminal station on the south side, on the site of the present Waterloo Junction. But provision should also be made for those desiring to continue to the West End. This could be by means of a railway bridge of more restricted extent than at present exists.

Charing Cross Bridge with Hungerford Bridge is about 120 feet in width. This width would suffice for a combined rail and road bridge; 50 feet for railway purposes and 70 feet for the roadway.

The roadway portion of the bridge would begin at York Road, which would be the most convenient line for access to the existing railway terminus of the south-west section. It would also tend to distribute the traffic to and from the bridge between Waterloo Road and Westminster Bridge Road. At the present time all such traffic is concentrated at Waterloo Road.

The northern end of the bridge would be at an enlarged St. Martin's Place. In approaching this place, the road bridge would pass *over* the Strand. The rail bridge would approach a new station with the rail-level underground at St. Martin's Place, by passing *under* the Strand. Therefore as regards both portions of this new bridge, confusion of traffic at the Strand would be avoided.

Another advantage would be the possible connection of the new station with the existing tube system. I have taken it for granted that only electric traction would be employed between Waterloo Junction and the new station.

The carrying out of such a scheme would mean a great improvement on the south side of the river. This improvement would soon be reflected in the Rate Returns. The redevelopment would also include the possibility of a new embankment from County Hall to Blackfriars Bridge.

North of the river, a considerable area of land would also be available for redevelopment as the result of the improvement. This would comprise the large site now occupied by Charing Cross Station and the adjoining property in Craven Street, etc., which is at present inadequately utilized.

Incidentally, a site opposite the Metropole Hotel in Northumberland Avenue would afford an ideal situation for a National Theatre.

With regard to Waterloo Bridge, I am not going to discuss to-night any question as regards its retention or otherwise. But it is agreed by all that a bridge at Waterloo is a necessity. I must leave it at that. I would, however, suggest the continuance of the line of this bridge northwards by means of a new roadway leading direct to the British Museum.

You remember how the Opera House in Paris can be seen as the

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terminal of the vista of the Avenue de l'Opéra. This situation is in many respects similar to what one would visualize as the result of the formation of a new street between Waterloo Bridge and the British Museum; and, moreover, like the Avenue de l'Opéra, it would be a street of commercial buildings.

There is also the vista obtained across the Place de la Concorde in Paris. Looking from the Pont de la Concorde we have the wonderful vista of the Madeleine. Looking from the Madeleine itself we have a splendid view across the Place de la Concorde and the river to the Chambre des Députés.

Waterloo Bridge is in a straight line with the centre of the Museum, and the formation of a new road between these points would be a natural and logical basis of a scheme of development of the Covent Garden Area.

At the present time it might be said that vistas do not count for much in a city of fog and smoke. Fog we may not be able to eliminate altogether, but smoke we certainly can, and I trust that we shall do so, long before a century has run its course!

For the main traffic between Waterloo and the northern stations I have suggested a new bridge—the Temple Bridge. This would lead from the main *Place* at Waterloo in a direct line towards the eastern horn of Aldwych. Thence the natural development of the great improvement carried out by the London County Council would be the continuance of Kingsway towards the northern termini at Euston Road.

The northern end of the continued roadway might be treated as at the southern end. The bifurcation of the roadway as at Aldwych would form convenient routes for distributing the traffic to Euston Station and to King's Cross and St. Pancras, respectively.

Kingsway extended and also the new avenue towards the Museum traverse parts of London which perhaps more than any other are tending towards a high-class commercial development. They would provide for such development. They would in fact direct its location, and thus tend to preserve the valuable residential property in their hinterland.

The cost of the formation of these new roads, these means of communication, these new traffic facilities, would be amply repaid by the enhancement of values which would accrue. And what a different impression London would make on the mind of the visitor, whether he came from Southampton via Waterloo, or from Liverpool via Euston! Instead of losing himself among the purlieus of Waterloo, Euston, or King's Cross, he would find himself in wide and beautiful streets in every way worthy of the capital.

I remember well the first day I came to London. I had dreamed dreams of a wonderful city, of beautiful buildings and splendid streets. I did not find that London as I emerged from King's Cross Station. The

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sense of untidiness, of slovenliness, and, as compared with the city of my dreams, even of ugliness, was uppermost. That was thirty years ago. And I wonder what the traveller of to-day thinks as he steps out into Euston Road for the first time. The noise of the traffic is probably the first thing which impresses him. But the next and the abiding thing is surely that of the forbidding and even depressing aspect of everything about him. There is no sense of welcome. One does not expect to find such conditions at a principal gateway to this great city. One would think it had been done deliberately to drive the Scotsman back home!

The development of aeroplane travel may be a factor in the future, but not one I think which is likely to modify substantially the requirements of existing methods of travel.

The existing systems will continue to be the means by which the great bulk of people will of necessity reach the Metropolis, and the railway stations will continue to be the principal gateways to the City. In order fittingly to fulfil this function it is necessary that these should be amongst the finest buildings in the capital. But if the buildings are to be worthy of the capital it is of even more importance that their settings should be appropriate.

There is also the eastern part of Central London to be considered, namely, that lying between London Bridge Station on the south and Liverpool Street on the north. Here, however, we are in the ancient city, and I confess to a great desire not to alter it in any way. I would preserve its mediæval character as long as possible. But its traffic problem is a very serious one. If, however, improvements such as I suggest for the centre and west of Inner London were carried out in addition to the new roads to be formed by the Ministry of Transport, then a lessening of city traffic might be looked for.

The Ministry's schemes include a new tunnel under the river in the neighbourhood of Barking. This will form a direct means of communication for road traffic between Kent and Essex. At the present time much of the traffic between those two counties passes through the City of London. The new tunnel should to a great extent obviate the necessity for this. But it would do more; it would complete the ring of traffic-distributing roads around the City.

You will observe that the provision of such a ring of roads necessitates two extra bridges to the west of the City, and at least one new tunnel to the east.

We are greatly hampered in regard to the maintenance of effective cross-river communication. We share that difficulty in common with all other cities formed at the side of a river.

Efforts have continually been made in the past to carry out road widenings along the main traffic thoroughfares, generally as opportunity occurred. But it is remarkable how little has been effected—say, during

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the last half-century—in the way of improving the cross-river communications. They have, in fact, hardly been appreciably altered.

We are all familiar with the tremendous change that has come over vehicular transport during the last twenty-five years. This change has introduced a condition that has not only shown the width of the old main roads to be quite inadequate, but has emphasized that the means of cross-river communication are even more so. It can hardly be imagined that the interest focussed on Waterloo Bridge during the last few years would have arisen had the bridge communications of London been considered and dealt with years ago, in a comprehensive way. New bridges should have been provided from time to time as the necessity for them became clear. The need, for example, of a pedestrian and vehicular bridge at Charing Cross was obvious to many fifteen or twenty years ago, but despite much discussion the need has not yet been met. There has been considerable talk, too, of the desirability of a new bridge between those of Waterloo and Blackfriars. Those who advocated it, however, did not always appear to realize that in itself it might not accomplish much. They sometimes overlooked the fact that north of Kingsway the road continuation narrows down considerably, and cannot at present be regarded as of such width as to meet suitably the flow into it of a considerably increased volume of traffic.

But as regards cross-river traffic, I am not concerned to suggest any specific remedies in detail for our present troubles. The whole subject needs to be carefully and exhaustively considered, with a view to reaching some definite conclusions as to what is desirable in the interests of London's proper and logical development. In the past it has constantly happened that we have concentrated at times, and as occasion required, upon what, after all, were probably purely local difficulties, artificially created through neglect of the larger question. It is probable that had other provision in respect of cross-communication been made years ago to meet requirements that might well have been anticipated, the present claim of inadequacy of width in Waterloo Bridge might not have arisen.

Another point of interest to be remembered is that, in relation to the rivers on which other large cities are placed, the bridge provision of London is extremely meagre. In the case of Paris, the bridges in what may be called its central area, are, length for length of the river, from two to three times the number that we have in the more central area of London.

Moreover, in our own case we rightly complain of the dreary and untidy aspect of the southern bank of the river. It is clear that the provision of more bridges in accord with requirements would, at the same time, offer the best possible opportunity for dealing with the formation of an embankment. This would in time mean improving the

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amenities generally on the southern side, where at present there are so many squalid, unsightly, and, to some extent, it would seem, derelict and neglected areas.

Another problem in regard to traffic relates to the parking of motor-cars and the provision of motor garages. The new roads which I have suggested are intended to be main traffic routes. Their width and directness should prove important factors in the matter of lessening congestion. But they would also tend to preserve the quiet of the back streets in and about each of the areas to which I have specially referred. Here "parking" would be possible for many cars and no doubt would be permitted to a reasonable extent.

But there are many places in the City and West End where it is exceedingly difficult to find parking space. Here it will become necessary to provide garage accommodation, and the question arises as to whether the large commercial firms in the central area should not in future provide ample garage space for their customers and clients. There does not appear to me to be any insuperable difficulty in the way of using part of the ground floor or basement for such a purpose.

CONCLUSION

I have not attempted in the limited time at my disposal to do more than indicate by general suggestions the lines upon which we should proceed in planning the future development of London. Our ideal should be to make it the first in usefulness and the first in beauty among the cities of the world. In the past our outlook has often been too closely horizoned. We have carried out improvements at great cost and at great trouble to meet what were after all only local needs and local conditions. Our planning has been in terms of a single building, a single estate, perhaps a single parish, sometimes a borough, but seldom in regard to the requirements of London as a whole. Very rarely are the requirements of the Greater London the basis of our action.

If our improvements were carried out as part of a comprehensive plan for the improvement of an area comprising at least the whole of London, the oft-heard complaint as to lack of civic pride would soon be both unjustified and unjustifiable.

In the preparation of such a plan many interests must be concerned and many objects attained. We must give in such a plan due place to the needs of transport and traffic, as well as to all the proper demands of our civic life. These would include the transport and marketing of our means of existence; the needs of education; the means of social and recreative activities; and the cultural development of the citizens—all of which necessarily appertain to the full enjoyment of communal life.

In the proper allocation of the provision for such needs, we must

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bear in mind that while London is one great city, it has its individual parts. And we should strive to ensure that the individuality of these parts shall be preserved and developed to their full vigour. Moreover, we should remember that the relation between the whole and its parts and of each part to the others is so intimate and interdependent that the well-being of each part is vitally related to the well-being of the whole.

It does not appear at present that we have accomplished much towards this practical ideal. We have street improvements carried out by widenings indiscriminately on the one side or the other because buildings, having relatively a short life, happen for the time being to stand in the way of the immediate realization of a more appropriate scheme. So we create or perpetuate streets without dignity and without repose.

We are creating arterial roads which have on a larger scale the sinuous lines of our old highways, which admittedly were determined by the avoidance of petty difficulties.

In our Town Planning schemes we must strive to obtain architectural dignity and effect, so that in their execution they will make that appeal of which we are conscious in the best examples of the planning of Continental cities. That we have the natural aptitude to achieve similar results is evidenced by the work carried out by our native town planners and architects in civic development a century or more ago which became the exemplar for those Continental cities.

Finally, I appreciate fully that we must not attempt to impose by legislative enactment, provisions which will be regarded as merely restrictive. On the contrary, any suggestions which we have to put forward must be constructive in character, and as officers of responsible authorities we must seek to educate the public to whom we are responsible, in those matters which will create in our future endeavours an adequate development of our great city.

It is important that the public should realize that we seek to help them towards that ideal. But we are not only prepared to help them in carrying out the big schemes which must necessarily be undertaken, or in the evolution of a community centre or the development of an estate. Even in the erection of the business premises or the private residence of the individual, we must be ready to help so that everything which may be done shall contribute its due share towards the realization of a useful and beautiful London within the next one hundred years.

(NOTE.—*The Lecture was illustrated by lantern slides.*)

Reviews

[It will be the object of the Reviews of Books in the JOURNAL to cover the whole ground of the literature produced in the preceding quarter which may have a bearing upon public administration. By this means, it is hoped, some assistance will be given to the student and some direction to the general reader. A judgment of the value of the books will be attempted, as a portion of the ordinary duty of criticism, but the particular value of the book in its relation to the advance of the science of public administration will be regarded as the paramount criterion.]

I

My Apprenticeship

By BEATRICE WEBB. (Longmans.) 21s.

THERE is a certain note of surprise discernible in the reviews of this book which have come my way. The reviewers plainly did not expect from the joint author of *Statutory Authorities for Special Purposes*, 1689-1835, and a dozen other unread volumes with forbidding titles, a book throbbing with human interest. Yet that is what Mrs. Sidney Webb has given the world in this remarkable book. It is the story of her life from her birth in 1858 to her marriage in 1892, told with truthfulness and great literary craftsmanship. Regarded merely as book-making it is a fine example of organized narration and a notable tribute to the methods of authorship which the Webbs prescribe to "the industrious apprentice." The backbone of the book is a series of diaries faithfully kept by Mrs. Webb from youth onwards to which she confided her inmost reflections. These entries from the beginning reveal a mind of unusual gravity and a power of expression equally rare. Her tireless intellectual curiosity was more than matched by a double dose of will power. Both were stimulated by the companionship of an elder sister, "an omnivorous reader and witty reflector on all that was racy in English, German, and French literature, and all that was libertarian and iconoclastic in philosophy, ancient and modern," and by contact with a galaxy of eminent Victorians. The two girls in their twenties discussed Comte and Buckle and Voltaire in their walks abroad. At home they met Herbert Spencer, Frederic Harrison, and Francis Galton. It was the hey-day of scientific materialism. There were scientific giants in those days, and they towered intellectually above theologians and politicians. They held the clues which would unravel the maze of human life and make all things plain.

At any rate, they professed to hold the clues much as to-day do those who cry "Socialism in our time" promise to put all things right. But there was a double aspect to the human problem. It was metaphysical

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and it was economic. There is in this volume some light thrown on the former as it developed in the author's experience, but her mind was mainly and increasingly concentrated on the presence of poverty in the midst of riches. Frederic Harrison had explained to her the economic validity of trade unionism and factory legislation. Her own mind was profoundly stirred by the currents of thought and feeling in politics and philanthropy which were at the same time moving a Liverpool shipowner towards the ordered study of the structure of society. Charles Booth, writes Mrs. Webb, was the most perfect embodiment of the mid-Victorian time-spirit—"the union of faith in the scientific method with the transference of the emotion of self-sacrificing service from God to man." The two met, and in this volume we are given a most competent exposition of the method and results of the grand inquest into the life and labour of the people of London.

This inquest marks an epoch in the evolution of the social sciences. Charles Booth devised a technique which enabled the student to have before him an accurate vision of the map of poverty within a given area at a given time. His eightfold indices of social condition provided the observer with a measuring instrument of unprecedented accuracy. It is perhaps no exaggeration to say, with Mrs. Webb, that Charles Booth was "the boldest pioneer and the achiever of the greatest results, in the methodology of the sciences of the nineteenth century."

It is still the fashion to rail at statistics. This has recently been done amusingly by M. Madariaga in *The Sacred Giraffe*, where the origin of the Great War is traced to the statisticians of the rival kingdoms.

"You declared war on us in order that your statisticians might be able to write down higher figures [of imports and exports] in the column 'Assinia' than in the column 'Ebony' of their dismal books."

"That must have been it" (muttered the beaten Prime Ministers). "In that case, let us build our peace on solid foundations. As a first measure, we will hang all our statisticians and burn their books. Then, we shall instruct our priests to inculcate in our children such a horror of statistics as will for ever drive that criminal science beyond the pale of human life. Once we have achieved this twofold object, our peoples will live happy and they will create and consume free from the fear and the envy which the consciousness of possession rouses in all possessing men."

There is truth in this satire. Statistics may be put to base uses and used to destroy no less than to build up. But what we need is not only more and better statistics but a wider appreciation of their meaning, and a more effective handling of them. We are still ignorant of the measure and range of many social forces which it is essential to understand. Without such precise knowledge we shall continue to waste an enormous amount of social passion in futile controversy and misdirected energy. If the International Labour office at Geneva can do for the warring nations what Charles Booth did for the warring classes of London,

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measure and clarify the issues with precision, it will have defined the area of conflict and thereby promoted industrial peace.

We cannot follow Mrs. Webb through all the stages of her apprenticeship, much as we should like to linger over her adventures with East-End sweaters, co-operators, politicians, and economists. There are scattered through these pages a number of brilliantly observed pen portraits by a mistress of "the gentle art of interviewing," and those who have fallen under the spell of the author, seated on the fender behind a cigarette in the upper room on the Embankment, will tremble to think what they will look like in the volume to follow. Let us hope that "the Other One" will be looking on with his blue pencil ready to spare us.

To the servant of city and State, who perforce has to deal imaginatively with "a million sick," and not with the individual case, this book makes a special appeal. The method it expounds is the method we try to practise. "The impulse of pity for the needless misery of men" in the multitude can surely stir us in our daily task as powerfully as the compassion which moves the doctor or the nurse at the bedside of a single patient.

There are two or three small slips for correction in the next edition: Robert for Thomas Chalmers (pp. 199, 204), Levy for Levi, and Giffin for Giffen (p. 421).

M. M.

II

Karl Marx's Capital

By A. D. LINDSAY, Master of Balliol College, Oxford. (The World's Manuals—Oxford University Press.) 2s. 6d. net.

In the preface to the first edition of his *Das Kapital*, written in London in 1867, Karl Marx deplored the lack in the Germany from which he was a refugee of "men as competent, as free from partisanship and respect of persons as are the English factory inspectors, her medical reporters on public health, her commissioners of inquiry into the exploitation of women and children, into housing and food." It is probable that more than this nearly sixty-year-old testimony would be needed to induce many public servants to undertake the reading of a book which is so strangely composed as *Das Kapital* of economic theory, philosophy, historical researches, and bitter invective. For those who have been repelled by the very considerable difficulties of *Das Kapital* the attempt to understand the essential nature of its teaching has been, very often, a very unprofitable adventure. There was little to fall back upon which was not either blind advocacy of Marx or somewhat pettifogging criticism of the labour theory of value.

Mr. Lindsay has written a remarkably good introduction to the famous

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book. He avoids the errors of excess into which both interpreters and critics have been carried by their too prejudiced prepossessions; a Socialist himself, Mr. Lindsay is too true a scholar not to be fully alive to Marx's many inconsistencies. Indeed, it is because he is so much aware of them yet not obsessed by them that he can give so clear an outline of Marx's essential teaching. Whatever may be thought of that teaching in itself, at this time there can be little doubt of its historical importance. The influence of Marx might indeed seem to be a refutation of his own teaching of economic determinism: logically Marx would disapprove of the for-ever sanctified position into which his too enthusiastic disciples have raised *Das Kapital*. If that is the inevitable fate of an original thinker, so it is to be expected of his system of thought that it may not all hang together so nicely as the effort of a smaller and purely interpretative mind. As Mr. Lindsay says in the introduction to his study, "it is much easier to make a tidy pattern out of dry wood than out of growing shoots."

Marx's outlook came from the fusion in one mind, at a time when in the new economic division of society the social control of individual caprice was in its infancy, of what superficially considered were incompatibles, Hegelian political philosophy and English individualist economics. As to the former, that self-correcting engine of history, Marx claimed to have "turned it right side up" by introducing as the determinant of social forms and opinions the means of economic production; this preoccupation with means of production he held—the explanation is found in historical conditions—in common with the economists whose economics he turned to very different ends from theirs. Mr. Lindsay's illuminating account of economic determinism emphasizes Marx's influence in establishing a realistic study of social life: though Marx may have over-emphasized the economic factor in the conditions most present to his mind, he realized, as had neither the political theorists nor the economists of his time, the interaction of politics and economics; though particular parts of his work support the view that he was a rigid determinist, deriving, like the English economists, from Hobbes, these are to be counted among the inconsistencies of Marx the prophet; Marx the thinker supplies sufficient evidence that he did not see human nature as confined to the pursuit of separate individual interests by necessary and inevitable economic laws; his economic determinism "is not a mere reproduction of the English individualist doctrine with a different analysis of the direction of the outcome towards which economic forces are making. It is truly dialectical in its view of determinism as something to be overcome. Marx, like Hegel, thinks of necessity and freedom as implying one another." The conception of the class struggle, which is so important in Marx, Mr. Lindsay holds to be "fundamentally the Conservative doctrine of the importance of the smaller patriotisms," and compatible

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with idealism. He illustrates his analysis of Marx's position and of the importance Marx gave to material conditions by reference to idealists ancient and modern; he himself believes both that there are plutocratic states because there are plutocratic men and that there are plutocratic men because there are plutocratic states.

Probably, however, the most important chapters of Mr. Lindsay's book are those on "The Labour Theory of Value" and "Marx's Account of Surplus Value and the Collective Labourer." In this country for many years Marx's theory of value has been treated with scant respect by the majority of economists, including Socialist economists. If their attitude has been often too lightly adopted and has amounted to little more than insistence upon the obvious inadequacy of Marx's theory as a general theory of value and the absurdity of some of Marx's statements taken in themselves, it is also true that the upholders of the labour theory, with scarcely an exception, have been able only to repeat Marxian formulæ as children a catechism. It is important, therefore, to find a scholar of Mr. Lindsay's powers giving his own careful statement of Marx's theory and its implications along lines of thought to which more attention has previously been devoted by continental economists and philosophers. He insists, here as elsewhere, upon the need for studying Marx in his historical setting. A historical study taking into account the theory of natural rights makes neither Marx nor his individualist predecessors seem so foolish or perverse, in their belief in the labour theory, as modern opinion would suggest: the notion of value as representing the labour put into commodities is not absurd if an economic society of free individuals to each of whom capital is available be postulated. Marx advanced upon his predecessors in the importance which he assigned to the social character of value and, Mr. Lindsay contends, rightly criticized them for their one-sided application of the labour theory in the explanations given, or not given, of profits and wages respectively: in Marx's dialectic the theory is transformed into something very different—into a theory which shows "that there cannot be justice for individuals unless their claim to be regarded as separate individuals each with an absolute right to a definite reward is given up."

ROBERT WILSON.

III

National Economics

By EDWARD BATTEN, M.I.Mech.E. (Sir Isaac Pitman & Sons, Ltd.) 5s. net.

It is a little difficult to do justice to Mr. Batten's book; its full title is *National Economics for Britain's Day of Need—The Solution of the Unemployment Problem*, and in the preface the claim is made that the book

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"is honest, and that the author has wrought into every line all the strength that was in him." The right to the claim to honesty is manifest, but though Mr. Batten shows a certain independence in thought he will carry little conviction in regard to his further claim that his "solution . . . secures to every man the freedom to work to the enrichment of the nation's life and to the winning of ampler provision for himself." His independence in thought is not sufficient, as it could not be, to make up for an almost complete failure to diagnose his problem and a considerable weakness in regard to economic principles.

A large part of the book is devoted to a discussion of the relationship of fiscal policy and unemployment. The methods to be adopted in a centralized Socialist state are taken as a standard of reference: though not a Socialist Mr. Batten writes as though the administration would be faced with a comparatively simple problem in having to determine at any moment how best to regulate the general body of industry—encouraging export in this industry and discouraging it in that—so as to secure the fullest and most fruitful employment of all citizens. Socialist or non-Socialist some further consideration might have taught him that his simple problem is not merely difficult but, in the terms in which he understands it, really insoluble; the administrator who knew all about the productivity of all our industries and the changes taking place and about to take place in such productivity as a result, among other circumstances, of man's inventive genius, must be no common administrator, but God himself. Alongside such assumptions as to practice, Mr. Batten will be found falling into the error that the rise in price due to a tax is equal to the amount of the tax. There would appear to be justified in the author himself "the lack of determinate and consistent convictions on economic problems" which he deplores but which, in due measure, is warranted in all of us.

The author comes to his real problem—that of the "sheltered" and "unsheltered" trades—in the final chapters of his book. There is no attempt at a thorough diagnosis of the problem, and Mr. Batten's solution is only suggested in a very vague and sketchy fashion. It is a system of two moneys—one, gold, for external trade, the other a domestic money obligatory for domestic contracts of a certain size; the latter is to be varied in accordance with an index number of export prices so that the product of the price of gold in domestic money and the index of export prices remains constant. It is somewhat curious that in thinking of this, Mr. Batten should have assumed, as he appears to have done, that the obligation to accept payment in domestic money would not react upon the contracts themselves.

ROBERT WILSON.

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IV

A State Trading Adventure

By FRANK COLLIER, C.B., sometime Secretary to the Ministry of Food. (Oxford University Press.) 12s. 6d. net.

MR. COLLIER'S book raises the old question as to the advisability of irony in a serious work. Those who have had the privilege of working with him know and appreciate Mr. Collier's pleasant irony, a gift which lightened many a drab meeting at Palace Chambers, and his use of it certainly makes his book easy to read but a little difficult to understand. One respectable Tory paper describes it as "a trenchant attack on State trading," but the *Daily Herald* might equally write that it is a triumphant vindication of that much-discussed enterprise, while Mr. Collier could easily retort that it is neither, but really a narrative of facts to enable intelligent workers to draw their own conclusions. Leaving the debatable subject of irony, let us turn to the object of a book of this kind. If it should be to do the thinking of lazy people it must be written down a failure, but if, as we hold, it should be to stimulate thought on a very important subject then it is a success. The challenge bursts at once in the Preface when, after mentioning the success of the Food Ministry, the author says it is not suggested that the experiment could be repeated in normal times with equally satisfactory results. Why not? Mr. Collier's answer is that control encourages the producer and comforts the distributor, but leaves the consumer to crave for subsidies which disappear with the increasing poverty of the taxpayer who pays them.

The encouragement of the producer and the comfort of the distributor being accepted as laudable objects we are left with the question of subsidies. Subsidies are in themselves abnormal elements in commerce, and it is by no means clear that they would have to be continued in normal times. Moreover, subsidies are not necessarily evil nor need they always impose a burden on the taxpayer. During the war and while Clynes was Controller, the Ministry decided to raise the price of meat by twopence a pound, an increase made up of all sorts of items. The Consumers Council and the Trade Union Congress, despite the eloquence of Clynes, offered a stout resistance on the ground that the increase would afford a reason for claiming an extension of war bonuses, which in fact it did, and that a subsidy from the Government would involve less cost to the community. Their resistance was of no avail, but it is at least arguable that they were right. Those of us whose disagreeable duty it was to claim bonuses were only too conscious of the futility of the process, first, increase of cost; second, claim for bonus and then increase of cost and claim for bonus over and over again. It is no unfriendly criticism of a government in which the strong men were literally working night and day, unsure

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whether all their efforts would save this country, to write that it was unfortunate they did not accept control and its daughter, subsidy, at an earlier period, when it was urged upon them. Had they done so, the financial burden of this country would be less crushing to-day. Mr. Collier's objection, that State Trading is extremely susceptible to political pressure, would be decisive were it not balanced by the fact that private enterprise finds it easy and profitable to exert such pressure. The Statute Book is studded with the evidence, and eschewing the righteousness or otherwise of the Safeguarding of Industries and similar Acts, it is abundantly clear that they are due to the political pressure of private enterprise. If there must be two evils, let us choose the lesser. When Mr. Collier writes that control is apt to ignore quality and on the emergence of quality civilization probably depends, it is easier to accept the latter part of his statement than the first. When all that is obtainable is mutton it is no use craving for lamb, and with a nation at death grips, as we were, quality was inevitably subservient to quantity. Not altogether, even then, for the best types of war bread, for example, were pronounced by high authority to be better than our normal supply, and we must be careful not to confuse acquired and even vitiated taste with quality, which is a very different thing. The most conclusive answer to Mr. Collier's doubts, for they are not positive assertions, is the work of the present Food Council, for it is all in the direction of quality. Pure milk and exact weights and measures are all questions of quality, and the general approval of the Council's work hits directly at Mr. Collier's guarded conclusions.

If we seem to have taken overlong with a preface which occupies only a page and a half of some three hundred and fifty, it is because the author has made that the real challenging part of his book. For the rest, Mr. Collier describes the reluctance of the Government to set up a Ministry at all for two years after the commencement of the campaign. Mr. Runciman confessed that he had been driven against his will to act, but if a World War was brought about again, it may safely be predicted that a Ministry of Food would be immediately established. The hesitancy of the Government was due to that fundamental misconception of the British character which afflicts our elder statesmen. The German obeys regulations because he has always done so, while the Frenchman disobeys them for the same good reason. The Briton will comply with any restriction always provided he can be persuaded that he has given his consent to it. At one period in the war, when even the ration of meat was difficult to get in London, one could see unbought carcasses in the great Paris market. No one seemed to worry about the orders which were issued at least twice a day, and in the restaurants where there was a restricted menu, the waiter would produce from under his coat one of the most generous description if the client had a likely look. Nothing

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expresses the British attitude so well as the cartoon from *Punch*, which Mr. Collier so happily produces. Voluntary appeals had failed and Lord Rhondda is saying to John Bull, "Are you going to tighten that belt or must I do it for you?" And honest John replies, "You do it. That's what you're there for." It would be absurd to write that any one liked the restrictions or that every one obeyed them, but in the main they were loyally accepted and followed. Apart from all other considerations there were grave reasons for instituting strict control. Modern wars are not only fought on the battlefield, and though Mr. Collier's reference is to a late date the point was present throughout the war. He writes that in 1918 there were acute shortages and great hardships, partly owing to the severe weather and the long queue waits. The wives wrote to their husbands in the trenches, and the soldiers showed keen resentment, saying "that the least the Government could do was to see that their wives and children were fed while they were fighting." It was!

The author describes the history of the Ministry from the first unwilling and hesitating start to the time when with obvious reluctance and with a little justifiable soreness he severed his connection with the Civil Service. The Ministry of Food had gone, the Royal Commission on Food Prices had reported, and the Food Council was on its way. It is to be hoped that every member of the Council has read, marked, learned, and inwardly digested the book, for he will find much therein which is discoverable nowhere else. We have referred to the revelation of the willingness of the public to be led though not driven, but a more surprising fact was that great merchants and dock labourers alike could sacrifice for a nation. The sacrifices of the latter were obvious as were those of time and ability contributed by the merchant, but the merchant often revealed those most sacred things, the secrets of his business and sometimes to a trade rival who happened to be serving in a Ministry. An immense amount of information was gathered as to prices, real profits, and the inefficiencies of private control, and on this last point the author does himself and his Department a little injustice. Harking back to the question of quality, he points out that prices had to be fixed with an eye on the least efficient part of an industry, but he practically ignores the efforts of the Ministry to raise the efficiency level. It was perhaps the most troublesome part of the work, but it was not without its lasting effect.

To conclude, we are slowly trending to a period of State control though possibly not State management, and for this reason. We are being controlled now by Trusts, Combines, and Amalgamations, and though these are relying chiefly on quality at present, the time must come when quantity will be the ruling factor. Quality means constant experiment and experiment means expense. With shareholders clamant for no reduction of dividend, and with no stimulus from effective competition, experiment must decline except in industries open to foreign competition,

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and they can be dealt with by Protection. The State is the only power competent to deal with such a position and its work must be directed both to quality and price. When that day comes we shall all be better fed and shod, but whether a certain joy in life and a sense of pleasant adventure will not have gone are other matters.

G. H. STUART BUNNING.

OTHER COUNTRIES

V

Systems of Public Welfare

By HOWARD W. ODUM and D. W. WILLARD. (University of North Carolina Press and Humphrey Milford, Oxford University Press.) Price 9s. net.

At a moment when the reorganization of our system of public assistance is under active consideration, it is of interest to compare the manner in which the same questions are being dealt with in the United States. In no respect, perhaps, does the "New World" across the Atlantic seem so new as in matters relating to local government. In this country we have the advantage—or disadvantage—of looking back on centuries of experience of statutory authorities dealing with different branches of care for the public weal. In America it is, generally speaking, only within a decade or two that many of these matters have been taken under the control of state or other authorities, and to a very large extent they still remain in private hands.

The authors of the book under review advocate an organization of public welfare administration on state, county, and municipal lines. They point out that throughout the States there is at present a strong tendency in this direction, and they give detailed descriptions, illustrated by graphic charts, of the form of organization which has been adopted in a number of states, together with their own suggestions for an ideal scheme.

As "no two states approximate the same methods or organization," there is obviously infinite material for comparison and, while the authors have an outline scheme of their own, they recognize the great value of variety in experiment. They stress, however, the point that the state authority should be mainly supervisory in character rather than executive.

Under this state supervisory authority the unit for public welfare work should be the county. "The state," say the authors, "is too large, the local community too small." In order to estimate the implications of this view, it may be useful to note that, whereas the average area of the 3,000 or so American counties is 1,050 square miles, this average is swollen by the large expanses of the west, where 128 counties have each an area

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of over 4,000 square miles. The most usual areas are between 400 and 650 square miles, and more than half the counties have a population between 10,000 and 30,000.

The local government powers of the counties at the present time are very limited, but poor relief was one of the earliest of the functions entrusted to them, and the authors are of opinion that, seeing that the county is "all pervasive" and is "the only unit of local self-government with which a considerable proportion of the American people have any direct and personal experience, it is startling that it should have been until recently so largely ignored by political scientists."

Several states have already established their public welfare systems on the basis of county units, and others, while not taking precisely this line, have nevertheless recognized the county. Thus, in Pennsylvania, whereas the four bureaux of the State Department of Public Welfare work directly in the counties through their staff representatives, that Department promotes "County Councils of Social Agencies" which bring together all private social agencies in the county as do the Rural Community Councils in this country.

The insistence on the importance of the county area, however, does not mean that the larger towns should not have their own municipal systems. The form of organization established in Kansas City in 1910 has already been adopted by some fifty cities containing a third of the population of the United States.

When we come to consider the form of public welfare organization—whether as existing in state, county, or city or as proposed in the authors' scheme—one is at once struck by the almost complete absence of the conception of representative bodies as we know them in this country. If boards exist, they are purely advisory; the members are few in number and are almost always appointed by the governor or the mayor, as the case may be. As a rule they are under a Director of the Department, who is similarly appointed for a term of years.

The executive power is to be almost invariably in the hands of such an official—and it is recognized that he and the officials under him should, if possible, have had experience of varied kinds in social work. Thus, it is suggested that, even in small counties, it should be possible to have "one good, high-class, all-round social worker" who would combine the functions of "a juvenile probation officer, an adult probation officer, a poor commissioner to administer outdoor relief, an agent of the free employment bureaux, an agent for placing dependent children in foster homes, an inspector of commercial amusements, etc."

Indeed, now that the idea has once started of making the care of the public welfare a definite department of the governing bodies in state, county, or city, it is contemplated that the sphere of administration shall be not merely supervisory or regulative, nor confined to the care of specific

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classes of the population, but that it shall be comprehensive and constructive and shall include research into public welfare of all kinds and the education of the people in the need for and the advantages of public welfare work.

In these matters of research and publicity the municipal authorities in America are undoubtedly far ahead of those in this country. To instance one state only—in North Carolina, the State Board of Charities and Public Welfare issues monthly a four-page sheet entitled *Public Welfare Progress*, which is distributed free to 6,500 readers, while the Commissioner of Public Welfare has in twelve recent months spoken to an average of 1,000 persons a month on the programme of public welfare in the state.

The constructive side of public welfare work is the side which is particularly dwelt upon by the authors in relation to rural problems. "It is not material relief, it is not conventional case work for the socially inadequate that our rural society most needs, but that trained and capable leadership which shall enable the rural community to achieve for itself a richer and a fuller life."

It is clearly the view of the authors that such "trained and capable leadership" is not to be attained either by the English system of the popular election of representative councils or by the former American system of popular election of all officials. It would seem that the authors' view is in consonance with the general trend of policy in the United States at the present time, and the details which they give, both of existing schemes and of their own proposals, are well worthy of study.

G. M. H.

VI

Governments

- [Local Government in Many Lands; a comparative study. By G. MONTAGU HARRIS, O.B.E., M.A. (London: P. S. King & Son.) 15s.
Greater European Governments. By A. LAWRENCE LOWELL, President of Harvard. (Cambridge (Mass.) University Press, and London, Humphrey Milford.) 8s. 6d.]

THE first book has a remarkable origin. The Colonial Office, the India Office and the Foreign Office set out to gather information from a large number of countries on the systems of local government in force, with a view to placing the information thus gathered at the disposal of students, all being superintended by Mr. Harris of the Ministry of Health. Thus we have in a very special sense an authoritative volume, and as Mr. Harris, with special expertness, has added a chapter upon the local government

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of England and Wales, Scotland, the Irish Free State and Northern Ireland, we have a really inclusive work which has gone well beyond the limits suggested by the Royal Commission on Local Government. It is interesting to read in the preface that the work has already appeared in French at the instance of the Union Internationale des Villes et Communes. Mr. Harris also mentions a number of correspondents in various countries with whom he has communicated in respect of the precise accuracy of the facts as stated, and we may take it, therefore, that the work is soundly done and that the student may regard it as having unimpeachable authority. It is just as well to admit this frankly, for it would be the veriest presumption to review the book in the ordinary sense of reviewing. Mr. Harris has had exceptional opportunities of gathering his data, and he has adopted especially careful means of checking their accuracy. He describes and analyses all the facts and keeps carefully within the definition which he lays down for himself in the introduction excluding the consideration of the distribution of powers as between federal and provincial or other governments in sovereign States with a federal constitution. Thus, "local government" means local government broadly as we should understand it in England, and in the federal countries it means the jurisdiction of the bodies subordinate not to the central government but to the State, province or canton. South Africa stands a little apart as "the establishment of the provincial councils was professedly intended as a measure of local government. It was described in the Report of the Provincial Administration, 1917, as an experiment in the direction of creating a half-way house between a State parliament in a federal system and a purely local government."

It is a full book, let there be no mistake about it. There are no purple patches and no rhetoric. It is very solid meat indeed, and so written as to cram in the utmost information. Here is a specimen from the romantic New England local constitution: "In New England towns the ancient system of the Town Meeting still exists, all persons recognized as qualified electors under the State laws (which provide for adult suffrage for men and women) being entitled to attend. The Town Meeting elects the Moderator, or presiding officer, and also the many town officials. These are usually chosen annually. Most of them are unpaid. . . . The Town Clerk is frequently the only town officer who receives a salary. He is elected annually, but is usually re-elected. Besides being secretary of the town meeting and of the board of selection, he is registrar of births, marriages and deaths, and issues marriage licences." Thus, brief and to the point, the story proceeds. There is an equally terse account of the Commission and City Manager systems in the U.S.A. Altogether the book is an admirable compendium of plain fact gathered in an unusual way and a useful companion to the student of local government.

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The President of Harvard University's book is just at the opposite pole and yet it is equally as useful. But its utility is not as a permanent book of reference but as a stimulus to the study of comparative government. It is not inclusive in its range, and one would have liked some mention of Spain, but it is a helpful abridgment of the author's "*Government of England*" and "*Governments and Parties in Continental Europe*." So this book may be regarded as a restrained effort in propaganda on the part of the American Government in that it was written for the War Aims Course of the Students' Army Training Corps. Professor Lowell does not content himself with the dry bones of his subject, but he gives us visions of the human influences and reactions, and we owe him a special recognition of the scrupulous care which he takes to do justice to public servants. Here is a pretty little sentence in the middle of the treatment of local administration in France: "As in England, so also in France, much of the work of local administration is done by, and much of the credit therefor is due to, permanent officials little seen by the public; and chief among them to the secretary of the mayor, who in small communes is apt to be the village schoolmaster also." In fact, though I would not myself accept all the estimates, and especially as regards German official industrial organization, quite as they are written, it is not an exaggeration to say that this is a most useful book for the beginning of the comparative study of Public Administration.

JOHN LEE.

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